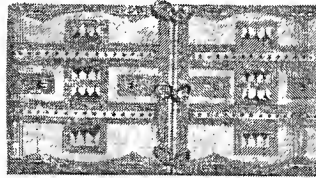




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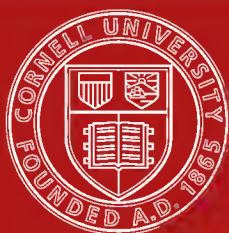


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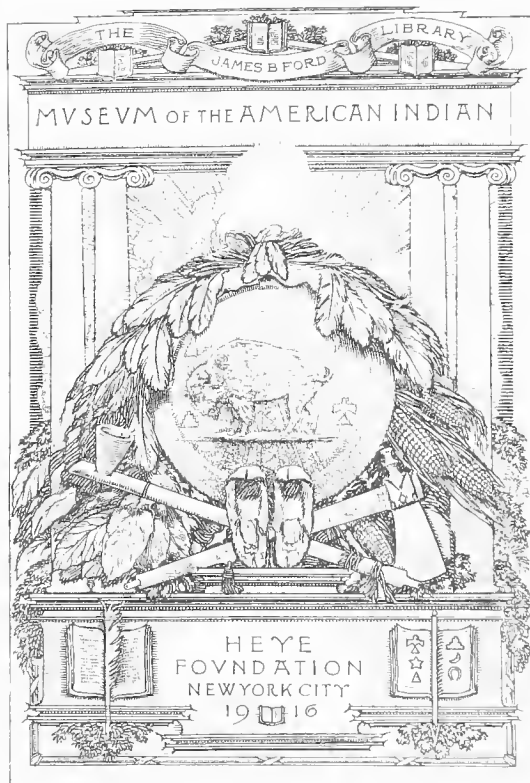
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The Indian

—IN—

RELATION TO THE WHITE POPULATION

—OF THE—

UNITED STATES

—BY—

FAYETTE AVERY McKENZIE

III

—THESIS—

PRESENTED TO THE FACULTY OF THE GRADUATE SCHOOL OF THE
UNIVERSITY OF PENNSYLVANIA IN PARTIAL FULFILMENT
OF THE REQUIREMENTS FOR THE DEGREE
OF DOCTOR OF PHILOSOPHY



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BY
FAYETTE AVERY MCKENZIE

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"LET US TREAT WITH THE UTMOST KINDNESS AND THE MOST PERFECT JUSTICE THE ABORIGINES WHOM PROVIDENCE HAS COMMITTED TO OUR GUARDIANSHIP. LET US CONFER UPON THEM, IF WE CAN, THE INESTIMABLE BLESSINGS OF CHRISTIANITY AND CIVILIZATION; AND THEN, IF THEY MUST SINK BENEATH THE PROGRESSIVE WAVE, WE ARE FREE FROM ALL REPROACH, AND STAND ACQUITTED IN THE SIGHT OF GOD AND MAN."

HENRY CLAY

On the Memorial to Congress to aid the Cherokee to migrate to Indian Territory.

DEDICATED TO THE SACRED MEMORY OF
HARRIET AND STUART

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*The Indian
in Relation to the White Population
of the United States*

CHAPTER I. HISTORICAL REVIEW.

The discovery of a race problem. Missionary efforts,—Catholic and Protestant. Efforts of the State. Eliot Tracts. New England Company. Colonial allotments, reservations. First Indian treaty of the United States. Colleges for Indian education. Benevolence of the national policy. Annuities. Early desire to separate the races. Jefferson. Isaac McCoy. Calhoun. Law of 1830. Official optimism. Act of 1834. Enormous war expenses. Peace policy. Board of Indian Commissioners. Division of the Indian country among the religious denominations. Sectarian recriminations. Walker's criticism of the Peace Policy. Situation in 1874.

The discovery of America was the creation of a race problem. The problem involved the widest range of social phenomena, and contained the certainty of a conflict of principles as well as of races. Material forces and spiritual forces have seemed oftentimes arrayed against one another; the aspiration of the Monk and the greed of the adventurer crossed the Atlantic in the three caravels of 1492, and took joint possession of the continent. Abstract brotherly love and concrete hatred have both planted their banners on the borders of race prejudices. Right and wrong seem to have been waging war against one another for nearly half a thousand years. The philanthropist is filled at once with admiration for noble righteousness and with intense horror over brutal wickedness. To the student, however, the situation is as but one in the long series since time began, but one that is of especial value in the illustration of social forces, because of the comparative fullness of the information concerning it, and of even more value because of its bearing upon the policies and fate of our nation in the immediate future. The sociologist studies

the story with the view of ascertaining the forces that actually do operate in human society, particularly in a heterogeneous society.

Volumes have been written and volumes more could be written, giving the details of the contact of the Europeans and the Americans, north and south, east and west. It would be impossible to cite the many separate incidents. Nevertheless it will be interesting to note significant facts and statements here and there as we read the story of conquest and subjection. Much will have to be assumed; it is beyond the scope of this treatise to enlarge upon the injustices which have inured in the past to the apparent advantage of the white man and to the disadvantage of the red man.

We shall find it more profitable, at least more interesting, to turn to the efforts made by individuals and government for the control and for the improvement and transformation of the primitive man.

The relations of the several races had elements of trouble from the very beginning. The Indians told Sir William Johnson that they believed soon "they should not be able to hunt a bear into a hole in a tree, but some Englishman would claim a right to the property of it, as being his tree." (1) The French seem to have been better adapted to harmonious relations with the natives. "There is a peculiar elasticity in the French character, and we stop not to inquire whether it be feeling or philosophy, by which a Frenchman accommodates himself to any situation in which he may be placed. Upon the Seine and upon the St. Lawrence, if not equally pleased, he is equally pleasant; and during two centuries, in the depths of the American forests, he has associated with their rude tenants, and, as he could not elevate them to his own standard, he has descended to theirs. A mutual and permanent attachment has been the result of this intercourse, and to this day, the period of French domination is the era of all that is happy in Indian reminiscence." (2)

The Catholic Church began their missionary work with that indefatigable zeal which has characterized them to this day. But it was not the church alone which had philanthropic

(1) Wynne: History of the British Empire in America, Vol. I, pg. 188.

(2) Cass: Remarks on the Policy and Practice of the U. S. and Great Britain in their Treatment of the Indians. North American Review, April, 1827. Also published by F. T. Gray, Boston, 1827.

and missionary purposes. The royal charter for establishing the Massachusetts Colony declared that—

"To win and incite the natives of the country to the knowledge and obedience of the only true God and Saviour of mankind and the Christian faith, in our royal intention and the adventurers' free profession, is the principal end of the Plantation." The Colonial seal represented an Indian with a label in his mouth, inscribed, "Come over and help us."

So, too, in the charters to the companies to colonize Virginia, we find emphasized:

"The furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of his divine majesty, in propagating the Christian religion to such people, as yet live in darkness and miserable ignorance of the true knowledge and worship of God, and may in time bring the infidels and savages, living in those parts, to human civility, and to a settled and quiet government." (1).

The enthusiasm with which that object was pursued by the Protestants in New England can be illustrated by no better means than the titles of the "Eliot Tracts." (2)

The first (1643) of the eleven "Eliot Tracts" was entitled, "New England's First Fruits in respect,

	{ Conversion of some	}	
First of the	{ Conviction of divers	}	of the Indians."
	{ Preparation of sundry	}	

The second (1647), "The Day breaking if not the Sun rising of the Gospel with the Indians in New England."

The Third (1648), "The clear Sunshine of the Gospel breaking forth upon the Indians of New England."

The Fourth (1649), "The glorious progress of the Gospel amongst the Indians in New England."

The eighth, 1655, "A late and further manifestation of the progress of the Gospel amongst the Indians in New England: declaring their constant love and zeal to the truth, with a readiness to give account of their faith and hope as of their desires in Church communion to be partakers of the ordinances of Christ."

It was not until 1648 that the first act for encouraging the propagation of the Gospel amongst the Indians was passed by the general court of Massachusetts, and the elders of the churches were recommended to consider means for that purpose. In October of that year Eliot preached the first Christian sermon to natives in their native tongue, from the text, "Then said he unto me, Prophesy unto the wind, prophesy,

(1) Brown: *Genesis of the U. S.*, Vol. I, p. 52. "Letters Patent to Sir Thomas Gates, Sir George Somers and others, for two several colonies and plantations to be made in Virginia and other parts and territories of America. Dated April 10, 1606.

(2) *A Sketch of the Origin and Recent History of the New England Company* by the Senior Member of the Company. Spottiswood & Co., London, 1884.

son of man, and say to the wind, Thus saith the Lord God; come from the four winds, O breath, and breathe upon these slain, that they may live. So I prophesied as he commanded me, and the breath came into them and they lived, and stood up upon their feet, an exceeding great army." But not until 1660 did he baptize any.

July 27, 1649, Cromwell's Long Parliament passed an Act or Ordinance, entitled, "A Corporation for the Promoting and Propagating the Gospel of Jesus Christ in New England," which corporation, in substance, continues to this day, though the result of the Revolutionary War compelled it to transfer its activities to Canada. It aided in the support of the Mayhew family, among others, for one hundred and fifty years. Thomas Mayhew preached for fifteen years, and after his death by shipwreck, his father took up the work for twenty-three years, although he started at seventy years of age.

Equal enthusiasm and hopefulness was manifested by Roger Williams, who wrote in 1654, "It cannot be hid how all England and other nations ring with the glorious conversion of the Indians of New England." (1)

The Colonists (2) did not confine themselves to religious propaganda in their treatment of the Indian. Legal rights, land tenure, and education, were as much a part of their system as they are of ours today.

In 1656 the Virginia assembly enacted that any lands possessed by the Indians and reserved to them by any act of Assembly, should not be alienable, because of the consequent necessity to make new allotments of lands and possessions. This was not, however, to preclude any alienation made through bargain or sale and with the assent of the Assembly. The Commissioners of the United Colonies in 1658 agreed to a system for setting aside lands for the exclusive use of the Indians. Plymouth Colony, in 1685, granted lands to the "South Sea Indians," which lands were never to be alienated or sold without the consent of all the tribe.

Massachusetts Bay Colony acted only through John Eliot. Townships were set aside for the "Praying Indians," for it was thought that thus all differences in future times with regard to the proprietorship of land between the English and

(1) Plymouth Colony Records, X, 439.

(2) English Institutions and the American Indian, by James Alton James, Ph. D. Johns Hopkins Press, 1894.

the Indians would be removed, and also that the Indian by this policy would have a definite tract of land which could not be sold, to render him destitute and discontented.

Massachusetts Bay, however, went further, and as early as 1746 appointed land committees of three persons in charge of the communal lands, to make allotments in severalty to individual Indians. (2)

Connecticut by 1680 had a well-developed reservation system. The allotments to the tribes were recorded and they duly descended to the proper heirs. To secure these rights, fines of treble the purchase price were laid upon white buyers of these Indian lands. By 1683 the state had begun to pauperize the red man by the granting of annuities. Committees were appointed to assign to the Pequots a tract of land to be cultivated by them. This failing, certain unimproved lands were to be assigned to them. Moreover a law required every town to provide for the maintenance of its own Indians. There were many forms of self-government on these reservations.

The colonial governments not only took this paternal and optimistic attitude toward the Indians, but the new federation in the treaty with the Delawares in 1778 seems to have been actuated by the same motives and ideas. It is of more than curious interest to read the sixth article of this national treaty (1) with the Aborigines:

"The United States do engage to guarantee to the aforesaid nation of Delawares, and their heirs, all their territorial rights in the fullest and most ample manner, as it hath been bounded by former treaties, as long as the said Delaware nation shall abide by, and hold fast the chain of our friendship now entered into. And it is further agreed on between the contracting parties, should it for the future be found conducive for the mutual interest of both parties, to invite any other tribes who have been friends to the interests of the United States, to join the present confederation, and have a representation in Congress."

The treaty (2) with the Cherokee in 1785, article XII. provided.

"That the Indians may have full confidence in the justice of the United States, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress."

In education the colonists were fully abreast with the aspirations of the present time. The Jamestown colonists (1)

2) Eng. Inst. and Amer. Indian. James, p. 21.

(1) Indian Affairs. Laws and Treaties, Vol. II, p. 4.

(2) Laws and Treaties, Vol. II, page 10.

(1) Bruce: Economic History of Virginia.

set aside ten thousand acres for the founding of an Indian university. William and Mary College (1691) admitted Indian youth. Between 1700 and 1776, from eight to ten Indians were educated at the college. Harvard College received its charter from the Commissioners of the United Colonies in 1650:

"For all accommodation of buildings and all other necessary provisions that may conduce to the education of ye English and Indian youth of this country in knowledge and godlyness, it is therefore ordered and enacted, etc." In compliance with this article, the Massachusetts commissioners were to build, by means of certain funds sent from England, "one Intyre Rome att the College for the conveniencye of Indian youthes to bee trained up there according to the advise Received this yeare from the Corporation in England."

Dartmouth took its start as Moore's Charity School for Indians. The money necessary to institute the college was raised in large part by Sampson Occum, a Christianized Indian, who made a preaching tour in England for the purpose. It may be of interest to note that there are in 1907 two Indians at Dartmouth. Four others have spent longer or shorter periods there within the last ten years.

The results of these educational endeavors were not large. Dartmouth was soon given up to the whites. Only one Indian graduate is on record at Harvard. A letter of 1729 concerning the Indians of William and Mary College runs as follows:

"They have been taught to read and write and have been carefully instructed in the Principles of the Christian religion, til they came to be men. Yet after they returned home, instead of civilizing and converting the rest, they have immediately relapsed into Infidelity and barbarism themselves * * * Besides, as they unhappily forget all the good they learn and remember the Ill, they are apt to be more vicious and disorderly than the rest of their Countrymen." (2).

Critics were not wanting even in those days, impartial and otherwise. And when we come down to the early nineteenth century it is not strange to find that the sixty-first number of the London Quarterly Review attacked the American government severely for its Indian policy.

"If the mode of warfare of the Indians was ferocious, that of the enemy with which we had to contend (the Americans) was equally so * * * We affirm without fear of contradiction or of error, that there is not to be found, on the face of the globe, a race of men, so

(2) James Eng. Inst. pp. 55-56.

utterly abandoned to vice and crime—so devoid of all fear of God and regard towards men, as are the outsettlers of Kentucky, Ohio, and the other back states." Referring to the statements in Buchanan's Sketches, this article maintained that, "By the items of this formal account, it appears that to the year 1820, above 190 millions of acres had been purchased from the Indians, for which they had received in annuities something more than two millions and a half of dollars! while the profits of the republican government * * * amounted to above \$213,000,000."

Cass, on the other hand, in his article in the North American Review previously quoted, replied that:

"Since the establishment of their independence, the U. S. have adopted the system of acquiring the aboriginal title by peaceable purchase, but they have adopted it with an important change, consolatory to all who look with sympathy upon the falling race. The plan of permanent annuities guarantees to the Indians a never failing resource against want, and its beneficial effects are apparent in the improved condition of the Wyandots, the Shawnees, and the Miamis. But one instance in the history of the U. S. can be found, where they have acquired any title to the unappropriated country by force, and that was at the termination of the wanton and unprovoked hostilities of the Creeks."

Previous to the Revolution the British government was responsible for the policy toward the Indians. Its orders were executed by its own officers and during a part of this period, the crown appointed a superintendent of Indian affairs for the northern, and another for the southern department. But a permanent system of annuities was never a part of the British system. That was introduced by the American government under the treaty of General Wayne in 1795 (1), "a treaty to which no parallel can be found in history." The Indians after their long, bloody war against the whites and after their final defeat were granted the same terms offered long before. "Many important advantages were secured to them and perpetual annuities were guaranteed to each tribe."

The interests of the red man commanded the attention of the presidents from the organization of the Union, and were discussed in nearly every annual message, certainly for the first quarter century of the nation's history. Jefferson (2) proposed in his drafted constitutional amendment at the time of the Louisiana purchase that all the land west of the Mississippi, east of the Rocky mountains, and north of the thirty-second parallel of latitude, should be left to the Indians, who

(1) Laws and Treaties, Vol. II, pp. 39-45.

(2) Works, VIII, 241-249.

should be gradually removed thither. A clause of the Louisiana territorial act of 1804 reflects in some degree the idea of Jefferson in this regard. (3)

This constant idea of the separation of the races, sometimes advocated in the interests of the white man, and sometimes to prevent the demoralization of the red man, found definite expression in the writings of the Rev. Isaac McCoy. (4). Mr. McCoy (5) was a missionary among the Miamis of Indiana from 1817 to 1820. He worked among the Pottawatomies in Michigan from 1820, and among the Ottawas on the Grand river from 1826. He early conceived the idea of isolating the Indians. In 1824 he visited Washington and made to Calhoun his proposition for the removal of the eastern tribes. In 1828 the government made an appropriation for the exploration necessary to the carrying out of this scheme. Mr. McCoy himself was sent out several times between that date and 1837 as one of the commissioners appointed for the purpose.

Calhoun, in his report of 1825 (1), recommended that the Indians be given a perpetual property right in a tract west of the Mississippi. He located each tribe so as to make the whole body of Indians, as has been intimated, a continuous and permanent barrier, from Lake Michigan south, to the growth of the free states. He said:

"There ought to be the strongest and most solemn assurance that the country given them should be theirs, as a permanent home for themselves and their posterity, without being disturbed by the encroachments of our citizens. To such assurance, if there should be added a system by which the government, without destroying their independence, would gradually unite the several tribes under a simple, but enlightened system of government and laws, formed on the principles of our own, and to which, as their own people would partake in it, they would, under the influence of the contemplated improvement, at no distant day, become prepared, the arrangements which have been proposed, would prove to the Indians and their posterity a permanent blessing * ** Should such principles be established by Congress, and the President be vested with suitable authority * * * and suitable provision be made to meet the expense, great confidence is felt, that a basis of a system might be laid, which, in a few years, would entirely effect the object in view, to the mutual benefit of the government and the Indians."

However little was actually done to provide a place in

(3) U. S. Statutes at Large, pp. 288-290.

(4) "Practicability of Indian Reform and Their Colonization," 1827 and 1829. To be found in the Kansas State Historical Society Library.

(5) "Indian Reservations in Kansas and the Extinguishment of Their Title"—a thesis prepared for the University of Kansas, 1902, by Miss Anna Eloise Abel.

(1) Gales and Seaton's Register, 1, Appendix, pp. 57-59.

the west for the Indians, there was no cessation in the effort to remove them from the east. John Quincy Adams in his attempts to defend the Indians in the South could not cope with Governor Troup and finally advocated their removal as an inevitable thing. The process had already begun. Small bodies of Indians had emigrated under the direction of the treaty making power. In pursuance of its vague policy the government in 1825 (1) ,acting through Governor Clark of Missouri, entered into treaties with the Kansas and Osage Indians, by which an immense territory was ceded to the United States. The United States on its part set aside definite territories for the use of the Indians, and promised them annual payments in money or goods. This was a very definite step in the creation of the reservation and annuity systems.

In 1830 a law (2) legalized removal and prepared for the organization of an Indian country west of the Mississippi. It seems to have been the hope of certain men that this would result in the creation of an Indian State. A small federal reserve was laid out in Kansas but its occupants were soon obliged to "move on."

The necessity for more efficient efforts toward the civilizing of the native tribes led to the creation of "a New Society for the Benefit of Indians," organized in the City of Washington, February 5, 1822. (1)

This was called, "the American Society for promoting the civilization and general improvement of the Indian tribes within the United States."

Although the writer has found no report of the action taken by this society, nevertheless as early as 1824 the Committee on Indian Affairs reported to the House of Representatives that:

"It requires but little research to convince every candid mind that the prospect of civilizing our Indians was never so promising as at this time. Never were means for the accomplishment of this object so judiciously devised and so faithfully applied, as provided in the above act (making provision for the civilization of the Indian tribes adjoining the frontier settlements, passed on the 3rd of March, 1819,) and the auxiliary aids which it has encouraged. It is believed to be an essential part of any plan for Indian civilization, that, with the rudiments of education, the males should be taught the arts of husbandry and the females to perform those domestic duties which

(1) Laws and Treaties, Vol. II, pp. 217-225.

(2) United States Statutes at Large, pp. 411-412.

(1) See pamphlet, "A New Society for the Benefit of Indians."

peculiarly belong to their station in civilized life. * * * These are combined in the exertions now making, and from the good which has been done, the most pleasing anticipations of success are confidently cherished. * * * No one will be bold enough to denounce him as a visionary enthusiast, who under such auspices, will look with great confidence to the entire accomplishment of the object."

In 1826 the principal clerk of the office of Indian Affairs reported (1) to the Secretary of War, in accordance with instructions which asked for general information concerning "the effects as already developed of the present system for civilizing the Indians, and its probable and ulterior consequences upon them as a race, viewed both in relation to their present situation and that which contemplates their future and permanent residence upon lands west of the Mississippi." Suggestions of improvements were to be in the report but the officer declared that "nothing suggests itself to me in the way of improvement in the administration of the Indian Department, as it is at present constituted."

Requisitions for the first three quarters of the year 1825 included: \$143,000 for the Indian Department, \$63,000 for Indian agents and sub-agents, \$18,000 for presents for the Indians, \$221,000 for annuities, \$31,000 for rations, \$225,000 to carry out the Creek treaty, and \$11,000 for the "civilization of the Indians." The total requisitions amounted to \$871,-827.14.

The nature, the number, and something of the efficiency of the schools among the Indians of that period may be seen or inferred from the accompanying table.

Num- ber	Tribe	Denomination	Teach- ers	Govern- ment charges	Pu- pils
2	Cherokee, Ala.	United Brethren	6	\$ 300	15
11	Choctaw	Amer. Bd. of Commrs. for For. Miss.	34	2,250	222
4	Pottawatomies, Creeks				
	Ottawas				
	Oneidas	Bap. Gen. Conven.	39	1,600	144
2	Oneidas	United For. Miss. So.	15	950	82
1	Senecas	Prot. Epis. N. Y.	3	500	33
1	Chickasaw	Cum. Miss. Bd.	14	400	31
1	Missouri	Jesuits	7	800	24
1	Quoddy	Soc. for Propagating the Gospel	1	250	60
5	Cherokee	Amer. Bd. of Commrs.	52	2,100	159
3	Cherokee, Miss.	Bap. Gen. Conven.	7	1,050	115
4	Senecas				
	Osage				
	Tuscaroras	United For. Miss. So.	53	1,450	133
1	Michillimackinac	Synod S. C. and Ga.	12	800	54
1	Wyandots	Meth. Episco.	12	800	57
1	Ottawas	West. Miss. Soc.	21	300	10
			281	\$13,550	1159

(1) Sen. Doc. 19th Cong. 1st Ses. 2d Doc. 2nd part.

The number of teachers includes the whole number of the families of the teachers, mechanics, etc. Prosperous progress was the purport of the record for the year.

But not every one of that period was so optimistic as the official head of the Indian Department. Over the signature of "William Penn," there appeared in the *National Intelligencer*, a critical review of the Indian situation in Georgia, in which it is claimed that:

"If, in pursuance of a narrow and selfish policy, we should at this day, in a time of profound peace, and great national prosperity, amidst all our professions of magnanimity and benevolence, and in the blazing light of the nineteenth century, drive away these remnants of tribes, in such a manner and under such auspices as to insure their destruction;—if all this hereafter should appear to be a fair statement of the case;—then the sentence of an indignant world will be uttered in thunders, which will roll and reverberate for ages after the present actors in human affairs shall have passed away. If the people of the United States will imitate the ruler who coveted Naboth's vineyard, the world will assuredly place them by the side of Naboth's oppressor."

(1)

Although Indian affairs were under the control of the Department of War from the organization of the government, not till the acts of 1832 and 1834 was formal recognition ever given to the "Indian Department." (2). Supervision over Indian superintendents and agents was vested in the Secretary of War. (3). Seventeen years later the bureau was transferred to the Department of the Interior.

The Indian intercourse act of 1834 further provided (I) for the removal west of the eastern tribes, (II) the assignment of territory in perpetuity to the migrating Indians, (III) their seclusion from white intercourse, and (IV) for Indian self-government. This act was declared by Francis A. Walker the outcome of "sound and far-reaching statesmanship." (4)

Notwithstanding the multiplication of words, the results of all efforts up to 1866 seemed to amount to nothing save grievous expense in lives and money. Half a billion dollars had been spent on Indian wars, directly or indirectly, and a quarter of a billion more in civil expenses, (1) and strife and expense seemed but to increase as the years went on. The Cheyenne War of 1864 cost \$30,000,000; 15 or 20 Indians were killed at an expense of more than a million dollars apiece.

(1) "Present Crisis in the Condition of the American Indians," by Wm. Penn, Phila.; Thomas Kite, 1830.

(2) House Doc. 25, 31st Cong. 2nd Ses. Also Laws and Treaties, Vol. 1, p. 1.

(3) Ellis, G. E. *Red Man and White Man in North America*. Little, Brown and Company, 1882.

(4) 4 Stat. 736.

(1) Ellis: *Red Man and the White Man*, p. 571. *Ann. Rept. Comm. of Ind. Affairs*, 1868.

The Sioux war of 1852-54, the Cheyenne of 1864, the Navajo, the second Sioux of 1866, and the second Cheyenne of 1867, cost more than \$100,000,000. (2). So in 1867 was inaugurated the Peace Policy. The Board of Indian Commissioners, four military officers and four civilians, were appointed to provide for the removing of the causes of war, and the safeguarding of the frontier and of the Pacific railroad, and to suggest plans for reclaiming and civilizing the native tribes.

The first report of that Board is exceedingly interesting, and of unusual importance because of its epoch making character. It outlined the theory and the practice of the government for the succeeding quarter century and committed the government so thoroughly to certain principles that another quarter century at least must pass before they can be entirely discarded. Incidentally the Commissioners called attention to the ignorance and indifference of the people, and even of the churches, concerning the higher interests of the Indians.

Civilization could come to the red man only through contact with the higher civilization. The things which have prevented the living together of the two races were declared to be; "first, the antipathy of race; second, the difference of customs and manners arising from their tribal or clannish organization; third, the difference in language, which in a great measure, barred intercourse and a proper understanding each of the other's motives and intentions."

"Now by educating the children of these tribes in the English language these differences would have disappeared and civilization would have followed at once. Nothing then would have been left but the antipathy of race, and that too is always softened in the beams of a higher civilization. * * * Through sameness of language is produced sameness of sentiment and thought; customs and habits are moulded and assimilated in the same way and thus in process of time the differences producing trouble would have been gradually obliterated. By civilizing one tribe others would have followed. * * * In the difference of language to-day lies two-thirds of our trouble." * * * "Their barbarous dialects should be blotted out and the English language substituted."

"Money annuities, here and elsewhere, should be abolished forever. These more than anything else have corrupted the Indian service and brought into disgrace officials connected with it. In the course of a few years the clothing and provision annuities also may be dispensed with. Mechanics and artisans will spring up among them, and

(~) Walker: The Indian Question. Exec. Doc. 97. 40th Cong. 2d Ses. Sen. Ex. Doc. No. 123. 47th Cong. 1st Ses. Letter from Sec. of War R. T. Lincoln. Sen. Doc. No. 15. 46th Con. 3d Ses. Rept. of Sec. of War Alex. Ramsey.

the whole organization, under the management of a few honest men, will become self-sustaining."

The Commissioners suggested two reserves: I. Territory bounded north by Kansas, east by Arkansas and Missouri, south by Texas, and west by the 100th or 101st meridian. II. Territory bounded north by the 46th parallel, east by the Missouri river, south by Nebraska, and west by the 104th meridian.

Along with the peace movement there had also come a demand for the transfer of the control of Indian Affairs back to the War Department. This was vigorously opposed by the Commissioner in 1868. "Military management of Indian Affairs has been tried for seventeen years and has proved a failure, and must, in my judgment, in the very nature of things, always prove a failure."

"It has only succeeded in illuminating our Indian history with bloody pictures, in surcharging the hearts of our tribes with hatred and revenge, and spending the money of the people by the fifty-million dollars, oft repeated." "It would seem that the cost price of Indians slain in the Florida War, in the Sioux War, and in the late Cheyenne War, has been on a fair average about a million each; and if our Indian troubles are to be ended by exterminating the race, it is evident, at the present rate of one Indian killed per month, that the achievement will be completed at the end of exactly twenty five thousand years; and if each dead Indian is to cost the same hereafter as heretofore, the precise sum total we will have to expend is \$300,000,000,000 to complete the extermination. But besides the cost to the treasury it is found by actual comparison, approximating closely to truth, that the slaying of every Indian costs us the lives of twenty-five whites, so that the extermination process must bring about the slaughter of 7,500,000 of our people."

Despite such arguments, Congress was about to arrange for the transfer, when the news of the Piegan affair, in which the blame for inter-racial hostilities was placed squarely upon military shoulders, caused an instant reversal of opinion. (2)

The peace policy was supported by Secretary of the Interior Cox in a report (1) to President Grant in 1870:

"I think it still demonstrably clear that, as a mere question of pecuniary economy, it will be cheaper to feed every adult Indian now living, even to sleepy surfeiting, during his natural life, while their children are educated to self support by agriculture, than it would be to carry on a general Indian war for a single year."

The second report of the Board of Indian Commissioners is nearly as interesting and important as the first. It declared

(2) Second An. Rept. Bd. of Ind. Commrs., 1870.

(1) Sen. Doc. 57: 41st Cong. 2d Sess.

"that a great improvement has been made in the manner of appointing agents, selecting them from men recommended by the various missionary societies, and thus it is hoped permanently withdrawing those appointments from the arena of political strife for patronage; and, by act of Congress, military officers are no longer appointed as agents in this service." The clause which had been inserted in the army bill, preventing officers from holding Indian agencies or civil positions, induced the Secretary of the Board early to recommend to the Secretary of the Interior the policy of placing the Indian reservations under the care of the Christian denominations of the country. This recommendation was an extension of the policy already adopted by the President, in placing the superintendency of Nebraska, and that for Kansas and the Indian Territory, under the care of the Society of Friends. The President and the churches agreed to the plan, and the country was divided out among the several denominations. But the policy proved a stupendous failure, and involved the country in a generation of sectarian recriminations. Nevertheless the Commissioners were able to say: "Reports prove that the Indian population are not only capable of elevation to a high standard of civilization and Christianity, * * * (but) that the progress of the Indians in these respects during the past year have been far beyond our expectations."

The religious policy of the new administration soon involved the Protestants and Catholics in serious controversy. The Catholics felt aggrieved and in a printed address made vigorous protest:

"Religious liberty is at the bottom and the object of attack of the whole scheme, and the United States is made the unconscious tool of ill-designing societies for illegal and unconstitutional interference with religious freedom. Dec. 5, 1870, Grant announced his determination to give Indian Agencies to 'such religious denominations as had heretofore established missions among the Indians.' " "The agent is expected to administer the civil affairs of his agency in strict harmony with the mission work. All the employees as well as the agent are required to be by precept and example as so many missionaries in the work of civilizing and Christianizing the Indians." "The Protestants claim 15,000 Indians as Protestants; we claim 106,000 as Catholics," (even) "confining ourselves to those agencies where we have proved that we were in full possession of the missionary field. * * * We claim the right to thirty-eight agencies; the Indian Bureau, however, has granted us control of only eight. Thus thirty agencies * * *

have been wrested from us and turned over to the control of Protestant churches. Thus missions that have been for hundreds of years exclusively Catholic, and Indians who profess the Catholic faith, to the number of 80,000 * * * have been given to the charge of the different denominations of Protestants, in whom they have no confidence, and whose creeds they dislike." The address urges the raising of a fund for the Catholic office, or Bureau, then established at Washington, and suggests "a wise and prudent use of the ballot box." * * *

"The Protestant churches spend from seventy-five to one hundred thousand dollars a year of their own money, and the contributions of their own members, in addition to whatever means the Government places in their hands, for the perversion of the faith of Catholic Indians; shall we hesitate before sacrifices when they are needed to oppose such a scheme, and save our Indians and with them our religious liberty?" (1)

The material results of the new policy are indicated in a quotation from J. V. Farwell concerning the Indians in Utah:

"One tribe numbering 2,500, with the aid of \$5,000, has this season raised \$30,000 worth of crops; another of 1,500, with \$500 aid, raised \$10,000; another of 1,000, with \$500 aid, has raised \$5,000; another of 500, with \$350, has raised \$1,000 worth of crops; another had four farms, upon which, with \$500 aid, they have raised \$7,000 worth of crops. One tribe has 5,000 peach trees planted and raised by themselves. All the above results have been reached in three years' work by the government."

The Commissioners this year suggested and recommended that when reservations lay close together they should become counties; that the land should be allotted, the titles to be inalienable for at least two or three generations; that the civilized tribes should be taxed; that the treaty system should be abolished; that the Indian should be granted the status of ward; that annuities be abandoned and schools established; that teachers should be nominated by religious bodies; and that **pupils of mission schools should receive at least rations and clothing.** Here we have the germs of another system, which grew to vex mightily the nation.

Naturally there were critics of the Peace Policy. Congressman John Hancock from Texas, in a speech on the Indian Appropriation Bill for 1874, maintained that "the theory of educating the wild child of the forest, inculcating in his mind high moral and religious sentiments in advance of learning him to work, has proved to be an absolute failure." "No in-

(1) Address of the Catholic Clergy of the Province of Oregon to the Catholics of the U. S. on President Grant's Indian Policy, 1874. See also: *Our New Indian Policy and Religious Liberty, in the Nation*, Vol. 26 (1878).

ferior race in all historic times has escaped one of these three results, subjugation, amalgamation, or extermination. * * *

The only remaining position then to be assigned to the Indians is that of subjugation. He must be subjugated, and such subjugation as will place him under the control of the Government."

Undoubtedly the keenest and most far-sighted book which had up to that time appeared on the subject of the relations of the government and the Indians is Francis Walker's "The Indian Question," published in 1874. The value of the work appears the greater when its date is taken into consideration. Even at that time he saw that:

"To throw upon a dozen religious and benevolent societies the responsibility of advising the executive in the appointment of the agents of the Indian service is not a policy. To buy off a few bands, more insolent than the rest, by a wholesale issue of subsistence, and the lavish bestowal of presents * * * this, though doubtless expedient in the critical situation of our frontier population, is the merest expediency, not in any sense a policy. Yet the two features specified have been the only ones that have been added to the scheme of Indian control during the continuance of the present administration." (1)

The law (2) ending the recognition of Indian nations (1871) "struck the severest blow that remained to be given to the Indian policy in its fourth great feature." It weakens "the already waning power of the chiefs, while Congress yet fails to furnish any substitute for their authority—either by providing for the organization of the tribes on more democratic principles, with direct responsibility to the government, or by arming the Indian agents with magisterial powers adequate to the exigency." "Under the traditional policy of the United States the Indian agent was a minister resident to a 'domestic, dependent nation.' The act of March 3, 1871, destroys the nationality, and leaves the agent in the anomalous position of finding no authority within the tribe to which he can address himself, yet having in himself no legal authority over the tribe or the members of it." (3)

Mr. Walker called attention to the recent granting of citizenship by treaty or legislation to twelve Kickapoos (4), twenty Delawares (5), 473 Wyandots (6), 1604 Pottawatomies (7), 250 Sioux (8), 159 Winnebagoes (9), an unascertained

(1) Walker: The Indian Question. Osgood & Co., Boston, 1874, p. 104.

(2) Laws and Treaties, Vol. 1, p. 8

(3) Walker, p. 117.

(4) Laws and Treaties, Vol. II, pp. 835-836 (1862).

(5) L. & T. II, p. 940 (1866).

(6) L. & T. II, p. 677 (1855). See also p. 960 (1867).

(7) L. & T. II, 825 & 973 (1861 and 1867).

(8) L. & T. II, p. 1000 (1868).

(9) Laws and Treaties, Vol. I, p. 128.

number of Stockbridges (10), 6189 Ottawas and Chippewas (11), and said:

"The majority of the Pottawatomie citizens, after selling their lands in Kansas, have gone to the Indian Territory and re-associated themselves as a tribe; of the Wyandots, considerable numbers have attached themselves to the reorganized tribe in Indian Territory; of the citizen Ottawas of Blanchard's Ford, nearly all have disposed of their allotted lands, and are still cared for to some extent by the Government as Indians; of the Ottawas and Chippewas of Michigan, a majority certainly, and probably a large majority, have sold the lands patented to them in severalty." "It will thus be seen that, of these Indians * * * more than half, probably two thirds, are now homeless, and must be re-endowed by the government, or they will sink to a condition of hopeless poverty and misery."

The situation in 1874 was summed up by Mr. Walker in this way: 130,000 Indians were supporting themselves upon their own reservations, receiving nothing from the government save interest on their moneys or annuities granted them in consideration of the cession of their lands. 31,000 were entirely subsisted by the government; 84,000 were partly thus subsisted; and 55,000 were living by fishing and hunting, or by begging or stealing. Again he divides the population into 150,000 living on reservations; 95,000 occasional visitors on reservations for food and gossip; and 55,000 over whom the government had no sort of control. There were 180,000 under treaty relations, 40,000 on reservations without treaty, and 25,000 not on reservations, but under partial control. 97,000 were classed as civilized, 125,000 as semi-civilized, and 78,000 as barbarous.

The average annual cost of running the Indian Department advanced about three million dollars as the result of the adoption of the Peace Policy, as may be seen from the following statistics of annual expenditures:-

Annual Expenditures of Indian Office—1861-1872

1861	\$2,865,481.17	1867	\$4,642,531.77
1862	2,327,948.37	1868	4,100,682.32
1863	3,152,033.70	1869	7,042,923.06
1864	2,629,975.97	1870	3,407,938.15
1865	5,059,360.71	1871	7,426,997.44
1866	3,295,729.32	1872	7,061,728.82
Total	\$19,330,528.24	Total	\$33,692,801.56

(10) L. & T. I, 130. See also 5 Stat. 645 and 9 Stat. 55, and Vol. II, pp. 742 and 746 for earlier treaties and legislation.

(11) L. & T. II, p. 830 (1862) and 964 (1864) and p. 868 (1864).

The third report of the Board of Indian Commissioners testified to the civilization of the Cherokees, and used it to show what might be realized among other tribes. "This tribe is not only civilized and self-supporting, but before the fearful disasters of the great rebellion fell upon them, were the richest people per capita in the world." The causes for such progress were found in a limited and localized domain, in the practice of the arts of agriculture and herding, in a just system of property rights, in improved social conditions, and in Christianity. Like the Cherokees, the Choctaws, Chickasaws, Creeks and Seminoles had advanced to the stage of Civilization.

CHAPTER II.

INDIAN STATUS: PAST AND
PRESENT.
POLICY FOR THE FUTURE.

Contradictory ideas concerning the Indian. Cause of his backwardness. Tribal tyranny. Mohonk policy. Status under England, the articles of confederation, the national constitution. Ending (?) of treaties with Indian nations. Federal jurisdiction. Non-citizenship. Cases of Standing Bear and Agua His. The new Indian Citizenship of certain Indians. Citizenship with allotments. Dawes act. Local denial of civil rights. Agency government; its evils. Real citizenship; its dangers and its benefits. Possibility of government protection of the citizen. A suggested policy. The Burke bill of 1906—an alarming reversion. The liquor problem. The Heff case. The necessity for citizenship. Obligation to provide good land.

The Indian is a puzzle, and contradictions make up the substance of the history of his contact with the conquering race. These contradictions are most evident in the perpetual discrepancy between the hopes of his friends and his actual achievements. We have recalled the enthusiastic expectations of Eliot and Roger Williams; they were not more optimistic than many of the friends of missions today. (1) Yet if we follow Eliot's society to Canada, we find that their Indians are "Indians" still, even where the closest contact and the strongest infusion of white blood has compelled the most complete semblance of civilized ways; the Superintendent of their school at Brantford apparently feels that after a generation of effort he is just beginning to get at the heart of the problem and the secret of the method which the work requires. Should we review the efforts of the Pennsylvania Friends, of the Moravians Zinzendorf and Zeisberger, of the Presbyterians Horton and Brainerd, and then turn to the permanent results, we should find that same lack of harmony which we have everywhere noticed.

(1) See Miss Brain's "Redemption of the Red Man." New York, 1904.

Government officials, too, in each successive period have called attention to the failures of their immediate predecessors, but in glowing terms have pictured the glorious transformation which was just about to be achieved. Though every method has thus far proved unsuccessful, each new man believes his own innovation will bring the desired result. But what does history say? We should expect to find the Indians in New York state, in the midst of eight millions of the most civilized people in the world, far along on the upward path. But it would seem that the most degraded Indians are there assured of their degradation by the joint authority of the state and nation. The hundred Indians of Pennsylvania are, with the exception of one family, all nominally Christian; they hold their land in severalty and do a certain amount of work. Nevertheless their neighbors are inclined to put a big question mark after their business integrity and their matrimonial morality.

Nor is the situation changed if you go west. The white man either finds no good at all in the Indian, or he tells you of his good qualities first and in public; only later and in private to let you know that the Indian is an Indian still. Compared with Indians, one man will tell you, some educated Indians are greatly improved, but compared with a white man he is decidedly inferior and inefficient. A school teacher avers that the Indian schools are chiefly intended for show; the western missionary, that the Indian is perfectly capable of a college education, but it is not wise to give it to him. The eastern missionary furnishes inspiring accounts of religious and moral gains, he even joins with a committee in reporting to the public that land in severalty and citizenship are the goals to be desired, but in private he concludes that land in severalty now, and citizenship now would mean annihilation.

This statement of the radical contrasts of facts and ideas will find many people to controvert it, but each of them in his quiet moods will controvert himself, by qualifying whatever he has previously said in criticism of this position. In other words, it seems almost impossible to convey a just idea of the situation except by unjust emphasis now upon one side and now upon the other. Desires and prejudices must be balanced by reason and facts. The same theoretical reasons for the

granting of citizenship to the wards of New York which were so strongly urged twenty years ago, are met today by the same practical considerations which were then presented; "Wait a little longer and then they will be ready." What does this mean? The sole reply is, under the existing conditions the Indian does not make progress towards the goal of self-determination; some cause or causes operate to hold him back.

On the supposition, then, that there has been some great retardation in the process of Indian development, we should make some effort to discover and state the cause or causes of that retardation. There are at least four causes which might be assigned: 1. The inherent incapacity of the Indian. 2. The deadening effects of the wrong kinds of whites with whom the reds first and chiefly come into personal contact. 3. The social tyranny of the tribe. 4. The conditions made or allowed by the government.

There can be but little question that all four causes operate, the first being of the least weight. This thesis will proceed however upon the idea that the fourth is the preponderating one, especially if we view it as permitting or strengthening the third.

For many generations self-preservation has necessitated tribal subjection. Uniform action was essential to existence; morality was chiefly summed up in the two words obedience and custom, and they supply the key to much of Indian philosophy and practice. Generations of drill in habits of subjection produce not only a static society, but static individuals. Progress is put beyond the reach of personal desire or individual attainments. Some new and external force must break the cake of custom before a new life can manifest itself. Tradition must give way before new thought. These facts mark out for a "benevolent despotism" the line of its duty. It should break the bonds of tradition, of custom, of tribal tyranny. At the very least it should not strengthen, or even sanction, those which absolutely prevent the possibility of attaining that for which millions are spent and lives given. With this negative good secured, the nation's work is half done.

For the Indian we desire change and progress, something which is directly opposed to the forces of his tradition and custom. Any considerable change in a short time means the

absolute rending of those forces. The tribal organization and the tribal spirit are not compatible with the white man's life and civilization.

Bagehot in his "Physics and Politics" has put this philosophy of the static man in a very clear and convincing way :

"In early ages the act of one member of the tribe is conceived to make all the tribe impious, to offend its particular god, to expose all the tribe to penalties from heaven. There is no "limited liability" in the political notions of that time. The early tribe or nation is a religious partnership, upon which a rash member by a sudden impiety may bring utter ruin. If the state is conceived thus, toleration becomes wicked. A permitted deviation from the transmitted ordinances becomes simply folly. It is a sacrifice of the happiness of the greatest number. It is allowing one individual, for a moment's pleasure, or a stupid whim, to bring irretrievable calamity upon all."

Despite the failures of the centuries, the writer must place himself among the optimists. He believes that rapid progress for the Indian is still possible, and that it depends merely upon a better policy and its thorough and consistent application. The conceivably probable progress of five hundred years of evolution through internal forces could be secured in two generations under a constant and consistent policy on the part of government and society, that is, through the action of proper external forces.

The aim of the government, in its political action, should be to remove as rapidly as possible—and that means very rapidly—all differences between the red and the white man in their civil status—to make the red man realize that he has no privileges of any sort not granted to people of other colors, and that he has all the obligations which rest upon his fellow citizens of all colors.

There are two words which stand for the policy which is here suggested. One is "the vanishing policy," and the other "citizenship." These slogans are old, but they still retain their force. Here, as elsewhere, the essential thing is to know the right, and then to do it. Vacillation, or half-hearted, or delayed action, is most disastrous. For years the friends of the Indians, meeting at Lake Mohonk, have declared in their annual platforms for the early extinction of the reservation system, and for the granting of full citizenship to the red man.

In 1895 they declared :

"The reservation system is an insuperable obstacle to civilization, and should be abolished, the tribal organization destroyed, the lands

allotted in severalty, the Indians intermingled with the whites, and the Indians treated as other men."

In 1900:

"To overcome the difficulties which the natural error of the past has created, and to bring the Indian into individual relations with the government as a citizen of the United States with the least intermediate injustice and hardship, is the Indian problem."

"With rare exceptions the Indians should then be relegated to that protection of the laws and that stimulating effect of competition in freedom to which we owe alike our safety and our industrial inspiration."

In 1903:

"In dealing with the Indians the objects to be accomplished are no longer questioned; they are the abandonment of the reservation system; the discontinuance of Indian agencies; such education of all Indian children as will fit them for self-support and self-government; access to the courts for the protection of their rights; amenability to the law in punishment for their crimes; the same liberty that white men enjoy to own, buy, sell, travel, pay taxes, and enjoy in good government the benefits enjoyed by other taxed citizens; and by these means a speedy incorporation of all Indians, with all the rights of citizenship, into the American commonwealth."

In 1898 Dr. Lyman Abbott remarked at Lake Mohonk: "I remember the third meeting of the conference—a few of us came here and plead for liberty; a few of us insisted that the reservation must go; and the Indian be a free man. I remember, and you remember, how even here liberty was thought a dangerous thing, and the suggestion to give it to the Indian too radical. The one thing we need is to claim liberty for the Indian. Education, religion, food, clothing, ploughs, all are important. All these may be given by philanthropy and the church. But the primary function of government is to give that which thus far it has failed to give—justice and freedom."

We have, then, to consider what the status of the Indian is, and what its evils are; what remedy is proposed, what its dangers are, and how far those dangers are to be recognized by the state.

In the first place, the Indian, *per se*, is not a citizen. But, in the second place, certain individual Indians, certain classes of Indians, and certain tribes, are or may become citizens.

Under the Crown of Great Britain, (1) the Indians were generally recognized as distinct political communities, with a right to the occupancy of the soil. Under the Articles of Confederation, the nation inherited the rights of the king. According to Article IX, Congress was to make treaties of alliance and peace with the Indians, and alone could regulate

(1) Weil, Robert: *Legal Status of the Indian*: New York, 1888.

the trade and manage all affairs with all Indians not members of any of the states. But the state governments soon ceased to regard the tribes as distinct political communities, as is shown by the New York Constitution of 1777, and by the North Carolina law of 1787. According to the Constitution of 1787, Indians not subject to the commonwealths are not to be represented (1) in Congress, nor subject to direct taxation. Congress has power to regulate commerce (2) with the Indians. These provisions made no real change in the status of the tribesmen. But the states overrode the government. Georgia, in 1795, declared that that state was "in full possession and in full exercise of the jurisdiction and territorial right and the fee simple" of all the lands within its limits, including the Indian lands. Thirty-five years later the Supreme Court (3) recognized the Cherokees as a nation and declared the Georgia status unconstitutional. That state calmly ignored the Supreme Court and went on its own course.

The XIVth Amendment did not affect Indian status. The Senate, therefore, continued to make treaties with the "domestic nations," especially under the influence of the Peace Commission from 1867. The House of Representatives, in 1870, "tired of making appropriations to fulfill treaty obligations imposed by this hybrid, unpaid, almost irresponsible commission," added this proviso to the Indian bill, "Nothing in this act shall be construed to ratify any of the so-called treaties entered into with any tribe, band, or party of Indians since the 20th of July, 1867." The Conference report substituted the bill of 1871 (4), which declared that "no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe prior to March third, 1871, shall be hereby invalidated or impaired."

"This act appears to have left the actual situation almost absolutely unchanged. Since its passage the Government has continued to make agreements or contracts with the tribes as

(1) Art. 1, Sec. 2, par. 3 .

(2) Art. 1, Sec. 8, par. 3.

(3) *Cherokee Nation vs. Georgia. Worcester vs. Georgia.*

(4) *Laws and Treaties, Vol. I, Sec. 2079.*

organized bodies of men—agreements which are treaties in all but name. Nor has the right of the tribe to self-government ever, so far as I am aware, been taken away by legislation or questioned in any court. The act of 1871 does not appear to destroy the tribal nationality, unless, indeed, the taking from the tribes the right to **treat with us as nations** be considered to do so by implication.” (2)

The Indians were not citizens; they even held their lands by a mere title to occupancy. (3) They were not **foreign** nation, and hence could not sue in the Supreme Court, (4) and thus were barred from any legal remedy for violation of their legal rights. So the Indian was neither citizen, alien, nor foreigner. He was called by Attorney General Cushing a “domestic subject;” this was “an incapacity of his race.” Daniel Webster (5) declared the Indians “are of that class who are said by the jurists not to be citizens, but perpetual inhabitants with diminutive rights.”

The legal position of the red man has been largely worked out under the constitutional provision giving Congress the right to regulate commerce with the Indian tribes.

“This power includes not only traffic in commodities, but intercourse with such tribes, the personal conduct of the whites and other races to and with such tribes, and **vice versa**.”

Such intercourse is a subject of Federal jurisdiction. (5)

In the case of crimes committed against an Indian outside a reservation, but within a State, jurisdiction is local; if committed against a non-Indian on a reservation, the jurisdiction is Federal, the “Indian Country” being within exclusive Federal control. But, in either case, the Indian is incapacitated for bringing suit in his own name in either court (1), though certain treaties provide that Indians of the tribe concerned may complain to the agent against outsiders, and the latter shall furnish the charge to the Commissioner, who shall

(2) Pancoast, Henry S.: Indian before the Law. Indian Rights Ass'n, 1884.

(3) Johnson vs. McIntosh, 8 Wheaton, 574; Fletcher vs. Peck, 6 Cranch, 87-142; U. S. vs. Cook, 19 Wallace, 591.

(4) Cherokee Nation vs. Georgia.

(5) U. S. vs. Bridleman, 7 Federal Rept., 898 et seq.; Gibbons vs. Ogden, 7 Wheaton, 189; U. S. vs. Holliday, 3 Wallace, 416.

(1) Karrahoo vs. Adams, 1870. The court stated “there is no provision in the Judiciary Act, or any other act of Congress, giving to the courts of the U. S. jurisdiction in civil suits by or against Indians. 1 Dill, 344 Ex parte Forbes, ib. 363. See Schurz: Law for the Indian, North Am. Rev. Mar. 1882. “No attorney has the right or can appear for an Indian, unless authorized to do so by the Indian Department.”

cause an arrest.

Pancoast (2) summed up the situation in this way:

"Not only have our legislators from the first fostered the spirit of tribal nationality, not only have they put a savage people, in their internal affairs, beyond the control of the law, but in some treaties (3) they have even gone so far as to deliberately bind the Government never to interfere with the tribal rights of self-government. By this extraordinary 'policy', the whole western country is blotted with these petty states, handfuls of men, who are permitted by the theory of our law to rob, shoot, or murder each other without the possibility of our legally punishing the guilty or protecting the innocent. And this situation is that which, in many cases, we have pledged ourselves to keep forever unchanged."

In more recent times, Congress has passed special acts authorizing suits in special cases. One of these authorizes an Indian claiming right to an allotment to bring suit in the U. S. Circuit Court—the decision of the court even overriding any decision previously made by the Secretary of the Interior. Of course, as we shall see, an allottee is sometimes a citizen, and has all the rights of citizens, but he is then theoretically no longer an Indian.

It may appear that the discussion thus far fails to take into consideration the case of *Standing Bear vs. George Crook* in 1870. (1) But that case had reference only to the right of an Indian to sue out a writ of *habeas corpus*, and the decision was based solely upon the fact that an Indian was a "person." The *habeas corpus* act describes applicants for the writ as "persons" or "parties," nowhere as "citizens." It is very evident, moreover, that, whatever modification this decision should have made in the legal status, there was no such modification in subsequent government procedure or opinion.

The recent case of *Agua His vs. Spear*, is of apparently more vital significance. *Agua His*, a Yuma Indian, sued Superintendent *Spear* for cutting off his hair. Mr. *Spear* was so confident that no state court would entertain jurisdiction that he filed no demurrer. Judge *Noyes*, however, decided that he did have jurisdiction, and a verdict for \$25.00 was given. But Mr. *Spear* has never been officially informed of the

(2) *Indian before the Law*, p. 15. *Bishop Hare* is quoted: "Wish well to the Indians as we may, and do for them what we will, the efforts of civil agents, teachers and missionaries are like the struggles of drowning men, weighted with lead so long as by the absence of law Indian society is left without a base."

(3) *Choctaws*, 7 Stat. at Large, 333-4; *Cherokees*, ib. 481; *New York Indians*, ib. 552, and *Kansas Indians*, ib. 359, etc.

(1) U. S. ex. rel. *Standing Bear vs. George Crook*, 5 Dillon, 453.

decision and has not paid the fine. The situation is deplorable, because the law has not been enforced. As it stands now, so far as we can judge from an incomplete legal process, a tribal (Yuma) Indian can sue in the courts of California. This one decision is practically sufficient to overrule the practice, if not the law, concerning Indians to the present time.

It may be that Judge Noyes' decision was based on the same grounds which determined the magnificent ruling of the Supreme Court of New Mexico in January, 1904, that the Pueblo Indians of New Mexico are taxable and are citizens, because of their status under the Mexican government before the treaty of Guadalupe Hidalgo, taken in connection with the guarantees of that treaty. (2) If the Yumas are citizens, then the case of *Agua His vs. Spear* has no bearing upon the general status and legal rights of the tribal Indian. If they are not held to be citizens by virtue of such a treaty, and if the spirit of this decision be accepted as the law of the nation, we have entered into a new epoch.

Such is the story of the old tribal Indian. But there is another Indian, the individual or modern red man. By the act of 1901, (1) every Indian in Indian Territory is a citizen, and by the Dawes act of 1887 (2) there are two general classes of potential Indian citizens. In the first place, one class includes every native Indian who has voluntarily taken up his residence separate and apart from any tribe and adopted the habits of civilized life. The second class is of much more importance, for it includes every allottee to land in severalty, but certain tribes, of whom the chief are the Senecas of New York, were exempted from the provisions of the act.

To appreciate the significance of this law, we must realize that of the 285,000 Indians of the country, 85,000 are in Indian Territory, and that allotments have brought nominal citizenship to 72,502 more. Moreover, the avowed purpose of the government is to continue the allotting of the land until every Indian in the country is made a citizen. The act specifically states that these Indians "shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside, and no Territory shall

(2) *Territory of New Mexico, Plf. & Appellant vs. the persons, real estate land and property described in the delinquent tax list of the County of Bernalillo, for the first half of the year A. D. 1899.*

(1) *Laws and Treaties, Vol. 1, p. 114.*

(2) *Ibid. p. 35, Section 6.*

pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law."

It would seem, then, that citizenship were already secured or assured, and that any argument to prove its necessity were an idle superfluity. It would, however, be an interesting study to discover to what extent the apparent grant of the laws is reflected in the realm of operative fact. And the first discouraging thing that we meet is, that the government holds that the land of an allottee is not subject to taxation (3) until the patent in fee is delivered at the end of the twenty-five year period. Consequently the local governments oftentimes declare it an injustice to accord privileges without requiring duties, and actually do refuse the stipulated favors and rights of the law. (4)

"The ends sought by the law have not been desired in those sections of the country where the law must be administered, and by the people who must administer it. This has heretofore been the point of fatal weakness in our governmental policy for the aborigines." (1)

But, beyond the letter of the law, we find a more vital distinction. It is doubtful whether the Indian or his local guardian as a general rule realizes any difference of state before and after the process of enfranchisement. The Agent still commands, and the treaty for the sale of surplus lands may provide for the distribution of funds by the act of annual pow-wows for years after the Indians are impliedly beyond the tribal stage. In other words, the United States government or its representatives recognizes the existence of the tribe long after it has been officially wiped out. The mass of red blood still remains segregated in the body politic. The white man is, however, deceived by words. The red man is deceived. And the evil is no less than before—perhaps worse, because unrecognized.

What, then, are the evils of the legal status, or more comprehensively the government status, of the Indian? They

(3) By Laws and Treaties, I, 34, Act of 1887. Sec. 5, the lands are to be held in trust by the U. S., to be conveyed by patent in 25 years, "free of all charge or incumbrance whatsoever." See also Mohonk Rept. 1895, p. 43. Rickert Case, 188 U. S., 432.

(4) Rept. of Indian Commissioner, 1906: "The superintendent in charge of the Yakima Reservation reported on July 21, 1906, that the prosecuting attorney of the county informed him that as the Indians do not pay taxes he does not purpose to put his county to any expense in prosecuting them or in giving them protection."

(1) Barrows: "The Indian's side of the Indian question," Lotthrop & Co., 1887.

are the evils of personal government, of despotism, absolutism. There are few rulers in the world with more absolute power than the Indian Agent. The Indian drills at the word of the Agent, nor looks to any law beyond. The Reservation is territory apart from that of the surrounding state. There are certain national regulations, and certain treaty stipulations which operate to a certain extent, but the varying commands of successive Agents make their wide powers only too evident to the Indian, for him to realize the blessings of a constitutional government, not to speak of a democratic government. Policy points to sycophancy as the attitude of those who would be prominent, and especially of those who would gather the plums of the "Agency ring."

Miss Fletcher tells of the poor red man, punished severely (2) for teaching doctrines to "subvert the authority" of the Agent, by telling his neighbors of the Declaration of Independence. Pancoast refers to cases of men deprived of from three to six months' rations out of personal pique on the part of the Agent, or in a moment of passion. It was hoped that the Indian Courts of Offenses, established under the order of 1883, would put some measure of democratic control within the power of the Indians, but in New York State, at least, they are denounced as sources of corruption, which should be eliminated as soon as possible.

It would be unjust to leave the impression that the Agent is generally cruel and arbitrary. Generally he has no motive to do wrong. The error is in the system, not in the man. It is in the reactions of the system upon its administrators, and finding their climax in the humiliation put upon the man who after a life-time in the service of the state dared to express his opinions as to the essentials for the efficient expenditures of public treasure, and for the salvation of a race, that a basis is found for criticism. The Agent is disappearing, but the system tends to persist. Nevertheless if a choice had to be made, pure despotism would probably be better than pure democracy. Invention should bring us some institution or institutions adequate to the case.

To get closer, however, to our problem, the real evil of the situation lies, not so much in the acts of the ruler, as in the inaction which the situation forces upon the subject. The

(2) Mohonk Report 1903, p. 68.

former is a negative, the latter a positive evil. An American does not need to be told that the strength of his people lies in the energy, initiative, and self-determination which his political and economic freedom forces upon him. The Indian of today knows no such freedom. He has been trained, moreover, to expect to have his food, his clothing, and his whole economic and political life provided and arranged for him. Gradually rations are being withdrawn, (1) but the spring of life has been broken, and a special effort will be necessary if he is to rise to the new situation. As a general proposition we may say that manual labor is a disgrace in his eyes; he despises work, the white man, and the civilization based upon work. Nevertheless we tell him he must work or starve. When he begins to feel the pains of the alternative the good people of the country rise up in their wrath and hurl denunciations at the Indian office until the rations are restored.

But at the same moment that we tell the Indian that his fate lies in his own hands, we also tell him three other things, namely, that he cannot sell his own lands or use his own money held by the government, that he cannot sue or be sued in the courts, and that he is not subject to taxation as all other able-bodied men are. We do not here mention the further facts that the government will relieve him from the support and education of all his children, present and prospective, from the age of six to manhood and womanhood. What race under heaven could develop under such monstrous conditions? Make him a citizen in fact as well as in name! Give him full control of his property and self. Let who will sell and become their real pauper selves. Better far to support a few in a general poor house, than to condemn a race to continued degradation. The condemnation is but for twenty-five years. But that means a generation of time, of people, and of money and resources squandered. It means a generation of continued pauperization. It means another generation taught to be irresponsible for debt, or person, or fate; another generation kept from learning the lessons of labor, of self-support, and of economic initiative; another generation cut off from the stream of American life and civilization.

The dangers of the freedom proposed are obvious, if not already intimated. Briefly they are starvation and intoxica-

(1) Commissioner Leupp, 1906: "Mr. Brennan reports that 5,700 of the 6,700 Pine Ridge Indians are still on the ration roll in some way."

tion, perhaps both. We are told that the Indian is a child, without a sense of the value of money or property, and that, therefore, it would take the white man but a short while to despoil him of all his possessions, leaving him utterly helpless, with nothing but uncertain charity between him and starvation. Nor is this an unlikely picture of the fate of some, if not of many. But how else shall the Indian learn? Experience is a teacher whom he will believe before and above all others. Some in the tribe will go down—some go down now—but others will take warning. The intelligence of the race will take heed of the situation. The cunning of the race will match itself with the cunning of the white man. If we could know that the tribe would be prepared for self-control by twenty-five years of tutelage, it might be well to postpone the day of trial for that period. But the reports that come from the Puyallup Indians of Washington, now entitled to full control of the lands allotted them seventeen years ago, come in just the words that are used to demonstrate the necessity of a period of probation. Commissioner Jones declared: "The case of the Puyallup Indians illustrates the fact that it is bad policy to remove the restrictive clause from the sale of Indian lands, and permit allottees and owners to sell them without any government supervision. These Indians are disposing of their lands for an inadequate consideration and are being defrauded and swindled. I am of the opinion that Indians in all cases should be aided and protected by the Government in making land sales. This is the case in the sale of inherited Indian lands, . . . and this course appears to be resulting in good to the heirs of deceased allottees." The Government should endeavor to protect from fraud all its citizens, red or white, and, as we shall see, has the power to act in the matter.

That the granting of citizenship does not operate to prevent the Government from reviewing the contracts of Indians is clearly shown by the decision of the Circuit Court, western district of North Carolina, against D. T. Boyd and others, (1) which stated through Judge Simonton that though the Eastern Cherokee Indians are citizens of North Carolina, vote, and pay taxes, yet the national government

"Has not yet ceased its guardian care over them, nor released them from pupilage. The Federal courts, can, still, in the name of the United States, adjudicate their rights. Nor is this without precedent.

(1) 68 Fed. Rep., p. 579.

The American seaman, born a citizen of the United States, or naturalized as such, has extended over him the guardian care of the Government and is a ward of the nation. The statute books abound with acts requiring his contracts to be looked into by officers appointed for that purpose, and every precaution is taken to guard him against fraud, oppression and wrong." Judge Dick added that "courts of chancery in this country and England, have, by a wise and salutary development of the principles of natural justice, built up an extensive, enlightened and beneficent jurisdiction in equity for the purpose of redressing wrongs, securing rights, and affording remedies adequate to the requirements of justice."

But that will not keep any from the necessity of learning by experience the lessons of responsibility. Postponing the lesson will not make it any easier. The worst feature of the present method is that after a long period of hot-house protection, a whole community is suddenly pushed pell-mell into the cold atmosphere of the outside world. No one has a chance to profit by the experience of the others. It would be a great advance if they were released one by one from their leading strings. The first failure would become an example to the warning of many. Surely when an Indian boy is retained in school till he is eighteen, he should be given his allotment at once, and the right to draw on his government funds in order to stock his farm, and at twenty-one the patent in fee to his lands should be made over to him. By such a scheme, even though the twenty-five year law should hold for the older people, the stripes of experience would fall successively upon a few to the advantage of the many, and those few would be the ones best able to stand the test, or best able to strike out anew in case they failed. (1) This compromise between the present plan and one of immediate full ownership, I would especially commend to the friends of Poor Lo.

So far no reference has been made to the modification of the Dawes Act of 1887 effected by the Burke Bill of 1906, which is a practical repeal of the Dawes Act so far as citizenship of the present generation of Indians is concerned.

It is one of the marvels of modern legislation how there could be such a complete reversal of public policy, without any indication on the part of the people that they know that

(1) The Indian Commissioner in his 1906 report apparently anticipates this suggestion: "Under ordinary conditions I would rather see an Indian who is working as a section hand on a railroad get his land free from governmental control than one who has no fixed calling, no matter what may be the relative scholastic education of the two."

such a thing was being perpetrated. The law of 1887 is amended to read:

"That at the expiration of the trust period and **when the lands have been conveyed to the Indians by patent in fee . . .** then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal of the State or Territory in which they may reside; . . . And every Indian . . to whom allotments shall have been made and **who has received a patent in fee simple . . .** is hereby declared to be a citizen of the United States." There is a provision allowing the Secretary of the Interior to anticipate the twenty-five year trust period in individual cases, and another provision giving exclusive jurisdiction to the federal government over all Indians holding trust patents.

It is easy to see that this postpones citizenship for another generation. In addition to the argument against such a policy on the ground of its general inadvisability, there is another based upon the confusion which it injects and continues in Indian affairs. In the future we shall have all the Indians citizens in the Indian Territory half of Oklahoma, while none of the Indians of New York are in any way eligible to citizenship. We shall have former allottees citizens, and future allottees non-citizens—and this in some cases, on the same reservation. We shall have non-allotted Indians citizens and taxpayers in the southwest, while allotted Indians in the northwest are neither citizens nor taxpayers. We shall be educating Indians for the duties of a citizen at Carlisle and then compelling the same Indians to live in barbarism in Colorado.

The hope, the only hope, for the Indian, is for him to jump into civilization. The Burke bill ends for those it concerns the possibility of hope. For the only way to learn to swim is to swim.

The problem of alcohol is one that the whites have not solved for themselves; it is scarcely probable that they will solve it for the reds. The Indian has an especially intense longing for whiskey; he gets it even now. But, despite the attractions of prohibition, many are learning to abstain, and to despise the white tippler. It is almost certain, however, that the first impulse of many others under full citizenship would be to become drunken citizens, but a reaction would follow, and the hastened extinction of some would result in

the real salvation of many. No community can be half free and half bound. Make the Indian the equal of his neighbor in all his possibilities and he will have a motive to control his passions, and to strive to realize those possibilities. In this matter the two races must go up or down together.

The liquor problem was intensified by the claim and belief of many that the laws prohibiting the sale of spirits to Indians could not operate in the case of citizen-allottees. Commissioner Browning, however, urged the matter upon Congress for several years, until a bill was passed and approved January 30, 1897, (1) prohibiting the sale of intoxicants of any sort "to any Indian to whom allotment of land has been made while the title to the same shall be held in trust by the government" and providing for punishment of any one "who shall introduce or attempt to introduce . . . any ardent or intoxicating liquor of any kind whatsoever, into the Indian country, which term shall include any Indian allotments while the title to the same shall be held in trust by the Government." This law was inclusive enough in its provisions, but was attacked as unconstitutional, and the first provision was annulled by the Supreme Court (2) in the *Heff* case, decided on April 10, 1905. The court held that

"When the United States grants the privileges of citizenship to an Indian, gives to him the benefit of and requires him to be subject to the laws, both civil and criminal of the State, it places him outside the reach of police regulations on the part of Congress; that the emancipation from Federal control thus created cannot be set aside at the instance of the Government without the consent of the individual Indian and the State, and that this emancipation from Federal control is not affected by the fact that the lands it has granted to the Indian are granted subject to a condition against alienation and incumbrance, or the further fact that it guarantees to him an interest in tribal or other property."

But, according to the ruling of the Department of Justice, there is still available for the protection of Indian allottees while on the reservations the provision prohibiting the introduction of liquor into the Indian country, including lands allotted but held in trust by the Government.

The Commissioner of Indian Affairs, in his report for 1905 comments thus upon the situation:

"Experience shows that the only safety of the Indians lies in keeping liquor out of their reach. Their willingness to buy it at any

(1) 29 Stat. 506. (2) Supreme Court Reports, Vol. 197, p. 488.

cost induces persons engaged in the traffic to break the law in order to sell it to them at exorbitant prices. The Office has used every available means to break up the liquor traffic with the Indians, but it has no power to enforce the criminal laws. The Heff decision will add vastly to the difficulty of protecting even the unallotted Indians. The Office is, therefore, moved once more to recommend that Congress be asked to appropriate \$10,000 to be used in obtaining evidence and in prosecuting parties engaged in the sale of liquor to the Indians."

Such an appropriation has been urged for years, and was granted in 1906.

It may be argued against the enfranchisement of the Indian that political rights are the last to be acquired in a natural or progressive evolution, and that given to him now, they would result only in his ruin, and that this would involve his white neighbors. To this it may be briefly replied that there are several conditions which minimize the possible evils of civic freedom. In the first place, even though citizenship be interpreted to include the right to vote, his ignorance of our language and methods will bar to a great extent any otherwise undue tendency to the misuse of his new privileges; ignorance will meet a partial educational qualification for the franchise. Citizenship, for the Indian means chiefly self-responsibility, and opens the "door of hope" to those capable of rising to responsibility. In the second place, if there be any considerable danger in giving the franchise to the illiterate Indian, every state is still free to exercise its duty to enact an educational qualification for the franchise. And in the third place, with few exceptions outside of Indian Territory, the Indians are relatively too few to have any considerable power for harm over the destinies of the dominant race.

It has been urged against a policy of allotment, citizenship, and laissez-faire that there are reservations where the natural resources are not sufficient to enable the people to become self-supporting. But such conditions are not a reply to a rational social policy, but an indictment of the nation which permits them. If through ignorance, fraud, or incompetence, we have shoved the Indian into territories of permanent poverty, our first duty lies not in supporting them there in poverty, but in transferring them to regions where a self-respecting life is possible. The government should not let a year go by without ascertaining whether such conditions do pertain, and if discovered, the means of change should quickly

be found. Reservation after reservation, now owned by the Indians, is bought for or by the white. Whenever valuable surplus lands are available for new peoples, the first thought should be to inquire if there are other Indians in need of them. Not until every Indian entitled, for any reason, to land, is provided for, in substance as well as in acreage, should another acre of Indian land be sold.

CHAPTER III.

RESULTS OF CITIZENSHIP.

Walker's reports in 1874. Eastern band of Cherokees. The Omahas. The Santee Sioux. The St. Regis and Oneidas. Mr. Grinnell's argument against general citizenship. The Jicarillas and the Pawnees. Later reports. The Flandreau Sioux. Evils of freedom. Necessity of experience. A contrasting policy in Alaska.

Thousands of Indians at one time or another, as we have seen, have exercised some or all of the rights of citizenship for which this thesis contends. The results of such privileges ought to have some bearing upon the advisability of extending or restricting the franchise in the future. In spite of the discouraging relapses which he found, Francis Walker called attention to real advances made. The Ottawas and Chippewas were "well advanced in civilization" and showed "a marked improvement in regard to breaking land and building houses." The Santee Sioux were "peaceable, industrious, and well advanced in the arts of life." The Winnebagoes showed a "steady improvement in condition," the Omahas had made "considerable advancement in agriculture and civilization." The Pottawatomies were "educated, intelligent and thrifty farmers." A favorable report came from the Arapahoes of the South. Among the Yakimas "the manual-labor school . . . has been a complete success." But the results among the Pimas and Maricopas were discouraging. "The relations of these bands with the neighboring whites are . . . very unfavorable to their interests, and the condition of affairs is fast growing worse. The difficulty arises out of the fact of the

use and probably the improvident use, by the whites about them, of the water of the Gila River, by which they are deprived of all means of irrigating their lands."

Thirty years later some of these estimates must be revised, and we have numerous other illustrations, both of advancement and of retrogression among citizen Indians.

The eastern band of Cherokees, by the constitution of North Carolina, are citizens of that state, though not citizens of the United States. They vote, pay taxes, practically hold their land in severalty and, as a corporation, in fee simple, sue and are sued, work roads and perform all the duties of citizens. They are subject to the laws of the state; "none of the laws applicable to Indian reservations apply to them." The government reports for 1903 that the 1457 individuals obtain 97 per cent. of their subsistence by labor in civilized pursuits, and only one per cent. by hunting, fishing and root-gathering. 279 are communicant church members, attending five churches. Three hundred families cultivated in severalty 3303 acres of land. These people might be compared with about the same number of non-citizens in Wyoming, where only 25 per cent. of the subsistence came from civilized pursuits, 55 per cent. from the government, and 20 per cent. from lease-money. The Cherokees lived in 415 houses as against 139 in Wyoming.

The apparently advanced status of these Cherokees is negated by the actual persistence of certain undesirable conditions. They are organized as a state corporation, and retain much of the force of tribal control. Lands can be sold, but only to other Indians, and with the consent of the council. The actual fullness of citizenship, with the bracing effects of freedom, are secured only by the few returned students, who abandon the tribe and settle outside the communal limits. This is done only under the displeasure of the older Indians, and involves considerable moral courage.

Although Walker could report favorably upon some of the results among the Omahas in 1874, by 1895 (1) the conditions there were popularly considered a demonstration of the folly of the granting of citizenship, even though the Indians voted and had had one of their number chosen judge of the county court. Possibly the folly consisted in expecting that division of the land or the possession of the franchise

(1) Mohonk Reports, 1895, p. 17.

would bring civilization at once, and in concluding a new policy wrong because it did not achieve at once what the old policy had failed to achieve at all. It was true, however, that the fact of citizenship was used to justify the sale of liquor by the whites to them. The civilized white man did not fail to take advantage of his rights as a liquor-dealer. The other forces (2) at Omaha, civil and religious, failed to measure up to the demands of the critical moment. Freedom does not mean immediate strength. It means the right of choice, and when the choice presented is only evil, the results will be evil. It is moreover only too sadly true that the path of the good is marked out by the failures of the bad. But the results of citizenship are not always bad. The Rev. A. D. Riggs of Dakota, reported in that same year (1895):

"I am not at all discouraged, because I think we are simply brought to the necessity of looking into the subject more thoroughly. It is not enough to study a thing in theory. Things must be brought into practical relations. At Santee we have been able to make a success in bringing the citizen Indian into true civil relations, and so I believe it can be done in other places * * * The Indian is always amenable to law. You may go down to our penitentiary at Sioux Falls, but you will not find any of our citizen Indians imprisoned there. There may be Indians there, but they are not those who have come into citizen relationship. That means a great deal. It means that, where they have an understanding of their position and responsibility, they have met it half-way."

The St. Regis Indians of New York state are morally the most advanced of the large tribes in that state. In 1887 the Whipple commission of New York reported that

"All the church books as well as the singing books are written in Indian * * * and the records of the nation are kept in Indian." Some of the Indians are fair farmers. "Many of these Indians can not be distinguished from white people. In point of morals they are far in advance of most other Indians. This is largely on account of their having become so thoroughly white, but principally because of the Christianizing influence of the Jesuit priests."

Without in the least discounting the work of the Catholic Church,—for it must be confessed that they have secured results which are scarcely equalled by other denominations in religious discipline—we shall do well to recognize another force of prosaic interest, but of active potency. These Indians have escaped the bonds of an unwise and demoralizing privilege which the government has so long accorded the race. The Commission tells us that "by common consent, rather

(2) Mohonk Report, 1895, p. 80, 69, 17, 21.

than by virtue of any statute, the individual Indians can sue and be sued in the courts of inferior jurisdiction of the state, and, in case a judgment is obtained against an Indian, execution issues, and is enforced in like manner as against a white man." They have thus provided an economic basis for morals, and taught themselves the responsibilities of contracts. They lack many things yet, but evidently the prime essential of manhood—a sense of responsibility—has taken some hold on them.

There are less than two hundred Oneidas in New York state. "They have no tribal relations and are without chiefs or other officers; they, as a tribe, receive no money from any source, but receive a small annuity from the general Government, amounting to about eleven yards of cotton cloth to each person per year."

"The land formerly known as the Oneida Reservation, and now commonly known as such, by an act of the legislature was long since divided among the Indians there in severalty, and they now own it in fee * * * These Indians not only manage and cultivate all of this land themselves; but in many instances have purchased quantities of land from the whites, and paid for them. They have observed the habits and practices of the white farmers among them, and have so profited by their examples that the Committee in going over the territory was unable to distinguish, in point of cultivation, the Indian farms from those of the whites." Could we expect much better results from any Indian policy? This is not the doings of any Indian bureau. It is simply the natural evolution under freedom.

The major part of the Oneidas, however, settled at Green Bay in Wisconsin—about seventeen hundred of them. They

"Support themselves by farming, cutting stave-bolts, hoop-poles, and cord wood. Many of them have large and well-tilled farms, and are as well off as the average farmers among their white neighbors. Recently, by an almost unanimous vote, they have decided to allot their lands in severalty and become citizens, for which they are well prepared." So reported the Agent in 1887. In 1903 he called attention to their farming, their creamery, cheese-factory and probable sugar factory: "Two years ago polling places were established on the reservation * * * As I stated last year, I do not see any reason why the Oneidas should not soon be able to look after their own property interests."

Civilization is certainly progressing when an Indian Agent can practically declare that his position is no longer one of usefulness. The only possible answer to this argument by example is that the Oneidas are inherently superior to other Indians, particularly to other Iroquois—and that would be

a difficult thesis to prove.

Nevertheless this is the assumption of Mr. Grinnell, who in his *Indian of Today* has written one of the sanest and most interesting books to be found in Indian literature. In fact it is the only book ever written discussing fully and rationally the status and condition of the modern Indian in general and of each tribe in particular. His conclusions reached after years of personal observation and study, both in the field and in Washington, are entitled to the greatest weight and most careful consideration. He lays down a number of broad propositions, which are striking and important.

In the first place Mr. Grinnell declares that the Indian is radically different from even the ignorant peasant of the white race. "His mind does not work like the mind of the adult white man."

"The differences which exist in mental attitude do not imply that the Indian is intellectually feeble, for when the young Indian is separated from his tribe and is brought up in association with white people, and so has an opportunity to have his mind trained to civilized modes of thinking and to imbibe civilized ideas, he is found to be not less intelligent than the average white. The difference in mind means merely that the Indian, like every other human being, receives his knowledge or his mental training from his surroundings."

"People who have no knowledge of Indians imagine them to be merely ignorant people, like uneducated individuals of the white race—perhaps like the peasantry of Europe—and liken them to the poorest of the Italian, Polish and Russian immigrants to this country. They suppose that if the Indian were willing to take a spade and shovel dirt, and to send his children to school, the whole great problem of his progress would be solved at once, and the race would become a self-supporting part of the population of the United States, able to hold its own in the competition which is becoming more and more a feature of American life." But Mr. Grinnell avers that this is not so.

It will be necessary to note, in passing, that this is not a fundamental difference in mental constitution, but a difference in tradition—a difference in the social mind. Our author recognizes, apparently, that it is a social and not a personal psychology which he is considering, and he furnishes in this single statement a powerful argument for the non-Reservation school, and particularly for the Outing System. He does not substantiate the literal meaning of the words, "The Indian is not like the white man of any class or condition; because his mind does not work like the mind of the white man." Nevertheless this interpretation of his words does not cover

up the fact that the various Indian tribes are in different stages of social development, and will, therefore, respond to the same social forces in different ways.

Upon this latter hypothesis Mr. Grinnell criticises those who find in land in severalty and citizenship the panacea for all Indian woes.

"In some cases the allotment law has worked well, in others it has brought in its train untold misery to the people who were to have been helped by it. In many cases it has brought to the Indian the very evils from which his friends wished to protect him, and in place of making him self-supporting and self-reliant, it has made him a pauper who is now without hope of escaping from his pauperism. It has placed in the way of the education of his children a stumbling block that in many cases can hardly be surmounted, and has made his hard lot harder, and more hopeless than it was before. The fatally weak points in the allotment law, as now carried out, lie in the tendency to apply it to all tribes, no matter what their condition, progress or situation, in the provision that citizenship shall go with allotments and in subsequent legislation allowing allottees to lease, or in some cases even to sell, their lands. In all these respects the policy is radically wrong and should be changed."

"The Oneida Indians have had to do with the white people for nearly three hundred years. They speak English, understand more or less of business affairs, have some knowledge of the methods of our government, possess farms which they cultivate, and earn money in other ways. They have received their allotments and are citizens, and vote at elections with perhaps as much intelligence as the average man. The Jicarilla Apaches have practically no acquaintance with the ways of white men, speak only their own tongue, or a little Spanish, inhabit a desert, earn nothing, have not even a school for their children, have never learned any lessons of self-control, and are as ignorant from our point of view as it is possible for a people to be. They also have received their allotments and are presumptive citizens."

"The tribe first named have been benefited by receiving their allotments; the Jicarillas are likely to be destroyed by theirs.

"A few years ago the Pawnees, though even then a dying race, were a fairly industrious farming people. As they had always done from time immemorial, they tilled the soil and raised the crops on which they subsisted. At last they were forced to take allotments, and ever since that time they have been deteriorating more rapidly than ever. They have leased their farms and moved off to camp by themselves, spending their time in idling and dancing. Whiskey is freely sold them and they drink more than ever before. Freed from the influence and control of the agent, they object to sending their children to school, and altogether they present a spectacle of physical and moral decadence that is pitiable to one who knew them in the old days of their partial strength and apparent independence."

In his review of the conditions at the several agencies

Mr. Grinnell further strengthens his position by calling attention to the progress or retrogression subsequent to the allotment of lands. True he speaks of progress evidenced in about the same number of instances as he does of retrogression. This, of course, is in entire harmony with his general theory of tribal differences. It may be worth our while, however, to review briefly some of the instances he cites of palpably bad results.

The Jicarilla Apaches are victims of drunkenness and of careless allotments, whereby many will be deprived of land. The Indians of Omaha and Winnebago Agency, the Quapaw Agency, the Ponca, Pawnee, and Oto Agency, the Sisseton Agency, and the Umatilla Agency, he cites as suffering from the demoralizing effects of the power to lease lands, and from drunkenness. The Osage Indians are the richest people on earth, and have an income from trust funds and from leases sufficient to insure their continuance in idleness and degradation. In one case, the Indian is put "in a position where he could not work if he would," in another it is only "when their money shall be gone that improvement may begin again." The Shawnees and Pottawatomies are allowed to sell their lands in excess of eighty acres. They squander their money for drink and trifles. The local taxation on improvements is so high that it robs the lands of much of their value. The policies of the nation and of the state thus "place every conceivable barrier in the way of advancement." Nevertheless, they "have taken hold in most praiseworthy fashion, and many of them are doing exceedingly well."

A later statement of the condition of the Jicarilla Apaches is found in the report of their superintendent for 1903. It would indicate that the direction of change is upward rather than downward.

"The very important matter of Indian allotments is in a more or less chaotic state." "That the issuing of rations to the whole tribe is neither necessary nor prudent is evidenced by the fact that a conservative estimate of money earned by the tribe will show \$15,000 during the past year * * * If the present policy of paying for labor in lieu of issuing rations is continued for a few years, I feel assured that the Jicarilla Apaches can be placed in such a position that they will no longer be dependent on the bounty of the government."

"The greatest stumbling block in the path of the Jicarilla Apaches has been the ease with which they could obtain liquor. A certain

wealthy Mexican owns five saloons on the borders of the reservation, and for fifteen years has debauched this tribe in defiance of the law. Last April I succeeded in securing a conviction of this man, and although he claims to be one of the wealthiest men in New Mexico, he was obliged to spend sixty days in the Federal jail as a common criminal. It is a significant fact that there has not been a case of drunkenness on this reservation since the conviction mentioned above."

Another of the tribes which Mr. Grinnell reports as adversely affected under the Dawes Act is that of the Sisseton Sioux. The Superintendent very kindly writes me on the 4th of April, 1905:

"It is a mistake to say that there is a backward tendency of the Sisseton Sioux Indians. While the advance of the Indians is not so rapid as we might desire, yet when you take into consideration the inherited nature of the Indian, a person must be blind if he cannot discern an improvement in the mode of living, habits and deportment of the Sisseton Indian. Of course there are many who are shiftless, and dissipated, yet they will compare fairly well with many white people. Were it not for the disreputable white grafter and bootleggers who prey on the unbusiness experience of the Indians, their progress in civilization would be more marked. However, this abuse is being gradually overcome by the vigorous methods adopted by the Indian department."

The case of the Flandreau Sioux might be considered as a demonstration of the poor policy of granting the full ownership of land to the Indian. They took up their land under the homestead law. The Superintendent in charge of these Sioux reported in 1904:

"Nearly all of the Indians who originally had 160 acres of land have sold from time to time, so that many now possess only five or ten acre tracts, and in some instances these are encumbered to nearly their full value. Had all the Flandreau taken land under the allotment act instead of under the homestead law, they would be in much better circumstances today."

The force of this argument would be much stronger were it not for certain additional facts. The government has continued to demoralize these people by giving them rations, and the possibility of easier income has tempted them to become day laborers off the farm, and so has removed the necessity for holding land.

"There is a great demand in this section of the country for labor, and many of the men have worked on farms and public works"; "the last census shows an enrollment of 288 people, although nearly one-half of that number are residing in Minnesota, Nebraska, and elsewhere." (1).

Nevertheless Supervisor A. O. Wright, the same year, reported of the Flandreau Indians:

(1) Rept. of Comm. of Ind. Affs., p. 304.

"A few of these Indians are acquiring property, a few are very poor, but most have small pieces of land with small houses, raising a part of their living at home, and working by the day for the rest. They earn good wages when they work, but they do not work very steadily. * * * The parents are voters and taxpayers. The above is the result of thirty years of missionary and government influence on a selected body of Sioux, and shows what we may reasonably expect other bands of Sioux to attain in the course of time."

Summarized the evils of the allotment policy are chiefly these: When the Indian is able to lease his lands he is apt to do so and then to spend his income largely on whiskey. The fact that he can not sell his land makes it impossible for him to sink any lower. He is certain of a kind of existence, regardless of his own actions. Could he sell his lands he would soon realize the need of effort, and have at least a slight chance of rising to a better level through the exertion necessary to self-preservation. Permission to sell his lands would be better than permission to lease. The Indian who can speak English and who has been educated by the government should be free to sell his lands and to sink to the bottom.

This is a hard doctrine. That its application will give good results remains for the future to demonstrate. The first exposure to temptation and the consequent downfall do not prove that the lower condition will be a permanent one. Experience will result in reformation for some of the individual Indians, and, in time, for the tribe as a whole. The depth of degradation of the parents will strike a stronger contrast before the minds of the children. The pains of poverty will fill the Indian schools, and enforce the lessons of industry and morality therein taught.

There are other reasons why we should discount the evils of citizenship. In the first place those evils will gradually filter even into the reservation life itself, as it has done in so many instances both in the east and in the west. And in the second place the Indians themselves are learning to avoid the evils. It would be foolish to think that whiskey, for instance, is kept off the unallotted reservations, and it would be equally foolish to think that drinking among the Indians amounts to anything like the figures that mere opportunity to secure whiskey would warrant. Yet it is true that an increase of income has the same tendency among Indians that it has among white people to plunge them into dissipation. It may be that

a temporary burst of dissipation is a sign of progress, though not an element of it.

It will be well, of course, to secure the rights of the Indian, by any means which will not deprive him of the testing experiences of self responsibility. This does not mean that the control of an agent or bonded superintendent must be extended or even continued. Legislation might strengthen the power of equity courts to rectify unfair contracts, and to punish severely any evident attempt to take fraudulent and undue advantage of the ignorance or the passions of the Indian. Apparently this is all that can wisely be done in his protection, provided, that, in addition, citizenship and full ownership of land be granted, as suggested in the previous chapter, to the youth of the race as they become of age.

The evils of our Indian policy are so patent that when Alaska began to be developed Dr. Sheldon Jackson protested against its introduction there. "It was at first a constant fight to keep from being called Indians. We wanted to commence where the friends of the Indian left off. We wanted to avail ourselves of the experience of the past on the Indian question, and so we have no Indians, we have only natives. The natives have all the rights that any white man has. There never has been a time since the establishment of courts in that land when a native could not go into court, could not sue, and be sued, like any white man."

The results have demonstrated his wisdom.

CHAPTER IV.

TRUST FUNDS.

Demoralization. Duty of allotting the funds. The Lacey bill. The bill of March 2, 1906, a disappointment. Compromise policy; gradual payments as the youth attain majority.

As is commonly known, the Government holds in trust for many of the tribes larger or smaller sums of money, the interest on which is annually paid to them. The total amount of these funds in 1906 amounted to \$36,352,950.97, and the interest paid out, to \$1,788,237.23.

The zealous care for these funds is evidence of the honesty of our intentions, but not of our wisdom and kindness. Over and over the records and stories from the reservations show that these unearned incomes are sources of demoralization and positive causes of retrogression and ruin.

It is almost certain that a wholesale and final payment of his money to the Indian would be vastly better than the annual premium on stagnation and vice that he now receives at the hand of the government. The Indians would advance more rapidly than now, if the government should confiscate their funds.

In his book, "The Indian of Today," Mr. Grinnell has much to say of the harmfulness of the unearned incomes of the Indians. "The Osages are the richest and * * * the least progressive of any tribe in the United States." As for the Sioux of the Sisseton Agency:

"When their money shall all be gone, improvement may begin again." So it is everywhere in greater or less degree, though it is those who most depend upon the payments, who are most demoralized by them.

The truest friendship for the Indian would wish these incomes might vanish, or that they might be controlled by the government and expended for the education of the children as is, in part, done in Canada. But such a solution of the problem is not possible here. Before we glance, however, at a solution which is both wise and practicable, there is one element in the situation which we must consider.

While it is true that certain tribes receive large cash incomes, the majority get but small amounts from the government. The evil is less in the latter cases, but only less. It is evil to the extent that it operates to lessen the need, and especially the motive for exertion and self-dependence. But it is more evil in the necessity it creates for the continuation of the tribal organization and relations, and in the annual lesson it gives in the belief that there is another source of subsistence than resides in the individual himself. The Senecas get but a very few dollars and a few yards of cloth a year, but these few dollars and these few yards furnish the excuse, if not the necessity, for the tribal organization, for the assembling of the clan, and for the more efficient domination of the regressive elders over the younger and more progressive element. The possibility of progress is sold and the bargain sealed for a mess of pottage.

We must remember then that the problem of loosing the Indian from the bondage of custom is not solved when lands are allotted. Tribal funds, like tribal lands, stand in the way of full freedom. Congress makes a mistake whenever it makes any provision for the gradual accumulation and the gradual distribution of tribal funds. The opening of parts of reservations, upon the provision that the Indians shall receive the actual proceeds from year to year and distribute them by tribal action, is a policy diametrically opposed to the spirit of the Land Allotment Act of 1887, and equally opposed to sound reasoning.

The first step in the forward movement will be the pas-

sage by Congress of what is known as the Lacey Bill. (1) The recent discussion over the question of the use of trust funds for sectarian schools has made prominent the necessity of allotting those funds to the individual members of the tribes. When that is accomplished, the individual will deal directly with the government, in the receipt of his money, and will expend it as he chooses, being in the matter entirely free from interference or regulation by the tribe. This will be the opportunity for the upward movement of the progressive, and the downward movement of the unprogressive. For many it will be the means of squandering an uncomprehended fortune and of bringing them down to solid rock from which alone they can build.

As already implied the second step will be the early distribution of the capital fund to its owners. This is an essential element of the "vanishing policy." It is equally essential to the policy which would transform a ward into a citizen. Here again, as in the case of the granting of a title in fee to the land, it may be necessary to adopt a compromise plan. If it be held that the old Indians who cannot speak English are not capable of handling their own funds, at least it should be granted that the youth as they are dismissed from school must accept the responsibility for their own fate, and should be allowed to squander their money as fast as they legally can. Many will suffer heavy losses—the white man will help see to that—but some will accumulate as others lose, and all will learn the lessons that only individual and racial experience can teach.

Under such a policy as this, claims of minors upon these

(1) "A bill providing for the allotment and distribution of Indian tribal funds. BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the President is hereby authorized, in his discretion, from time to time, to designate such Indian tribe or tribes whose members he may deem to be sufficiently advanced in civilization to be prepared to receive and manage their individual shares of the tribal funds then or thereafter on deposit in the Treasury of the United States to the credit of such tribe or tribes; and thereupon shall cause the money held in trust for such tribe or tribes in the Treasury to be allotted in severalty to the members thereof. That thereupon a roll of such individuals in such tribe or tribes shall be made by the Secretary of the Interior, and the funds apportioned and credited in severalty to the individuals entitled thereto and placed to the credit of such individuals upon the books of the United States Treasury.

Sec. 2. That the President may, by Executive order, from time to time, order the distribution and payment of such funds, or the interest accruing thereon, to such of the individual members of any such tribe or tribes as, in his judgment, it would be for the best interests of such individuals to have such distribution made.

Sec. 3. That the President shall, by Executive order, prescribe rules and regulations to carry out the purposes of this act. Such regulations may also provide the method and proceedings for the distribution of the share of any allottee who may die before payment and after such allotment on the books of the Treasury Department.

funds will all be satisfied within eighteen years. The shares of the older people should be handed over as soon as the several tribes shall be deemed prepared to receive them. Probably nothing now foreseen should keep any of these funds in the hands of the government for more than twenty-five years. Probably a safe rule would be that when the school-graduates constituted one-third of the adult population, the funds should be placed at the disposal of all.

When the funds are distributed, the first tendency of the Indians will be to spend the money freely. The swindler will be on hand to get all he can. The banker could do a good business with some. The saloon-keeper will have no trouble except with the law. The mission schools will have a season of prosperity. The man or the institution on hand and familiar with the ground from long establishment, will have a sudden and wide opportunity to do the evil or the good which lies in the nature of his or its work.

Before closing this chapter it is necessary to call attention to House Bill No. 17113, approved by the President, March 2, 1907. This bill has the appearance of the Lacey bill, but utterly defeats the object desired by the advocates of the allotment in severalty of Indian trust funds. It proposes that the President be authorized:

"In his discretion, from time to time to designate any individual Indian belonging to any tribe or tribes whom he may deem to be sufficiently advanced in civilization to be capable of managing his or her own affairs, and he may cause to be apportioned and allotted to any such Indian his or her pro rata share of any tribal or trust funds on deposit in the Treasury of the United States to the credit of the tribe or tribes of which said Indian is a member."

The great object of the Lacey bill is to secure a complete division of the tribal funds upon the books of the Treasury, thus separating the interests of the individual from those of the tribe, and obviating all such contests as occur in connection with the use of tribal funds for the support of mission schools, which is not secured by the bill which has been passed. Moreover by the terms of the latter bill, an immense amount of work would be involved at each application for such segregation of his holdings by an individual. The share of each individual in the common property varies with each birth and death within the tribe. The labor necessary for such individual allotting would practically preclude any enforcement of the law. The bill is both unwise and impracticable.

CHAPTER V.

EDUCATION.

KINDS OF SCHOOLS.

Former disbelief in education. Reservation boarding school. Simple, mental and industrial training. Its evil lies in its wholesale character. The Non-Reservation boarding school. General Pratt. Outing system. Carlisle; its great work. Experiment in Sussex Vale. The Day School, the type of the future. Irregular attendance. Contract day schools. Sectarian appropriations. Question of rations, of trust funds and of treaty funds. Indian vs. Alaskan methods.

In education we see the one phase of governmental activity which has a really bright aspect. The nation through its armies had subjugated the native. Through its reservation system it has cowed and dulled him. Through its schools it has started him on the path to a new and better civilization. Through its churches it will crown the work.

Strange to say it has been only within comparatively recent years that education has been actually believed in. This does not mean that even now the details of a system are agreed upon throughout the land. They are not. But the germs of a consistent plan are in existence, and will bring their full results in time.

Three quarters of a century ago the state of Georgia passed a law forbidding the missionaries to teach the Cherokees to read the gospel, and when Missionary Worcester, upon the advice to "do your duty, and then suffer the consequences", violated the law, he was imprisoned, even though the Supreme Court declared the law unconstitutional.

Georgia, however, was not the only opponent of education. General Morgan in 1898, in speaking of this subject, said :-

THE INDIAN

"The first step (toward education) was the securing of the necessary money from Congress. In 1876 this was done largely through the instrumentality of Senator Dawes. Twenty thousand dollars was appropriated from the United States Treasury for Indian education. Slowly the appropriations increased from year to year, but it required almost herculean efforts on the part of the friends of education to secure a sufficient amount from the Government for the doing of this work. There was a wide-spread conviction or prejudice that the Indians could not be educated. A member of the Finance Committee of the Senate said to me with great positiveness—a man who had lived among the Indians, who felt that he knew whereof he spoke,—'This is a simple waste of money. Every dollar that you put into Indian education is thrown away.' The Assistant Secretary of the Interior, through whose hands the recommendations in the Indian School service passed, said to me: 'You are a fool; you cannot do anything in educating the Indians. There is not a case on record of an educated Indian. You are not only throwing away public money, but you are antagonizing Senators, and you are acting very foolishly.' " (1).

"I might multiply such speeches indefinitely to show the difficulty of getting from Congress the money necessary to carry on Indian education. It was only because of the sentiment expressed through the Mohonk Conference year after year in every platform, and through the agency of the great religious newspapers of the country, and through organizations bringing to bear upon Congress such pressure of public sentiment, that forced it to grant these appropriations. While Senators would privately ridicule the suggestion of money being given for Indian education, they would, in obedience to public sentiment, vote the money necessary."

Annual appropriations made by the Government from and including the fiscal year 1877 for the support of Indian schools have been as here shown.

SCHOOL EXPENDITURES

Year	Appropriation	Per cent. increase	Year	Appropriation	Per cent. increase
1877	\$ 20,000		1892	\$2,291,650	24.3
1878	30,000	50.	1893	2,315,612	1.04
1879	60,000	100.	1894	2,243,497 (a)	3.5
1880	75,000	25.	1895	2,060,695 (a)	8.87
1881	75,000		1896	2,056,515 (a)	2.
1882	135,000	80.	1897	2,517,265	22.45
1883	487,200	260.	1898	2,631,771	4.54
1884	675,200	38.	1899	2,638,390	.25
1885	992,800	47.	1900	2,936,080	11.28
1886	1,100,065	10.	1901	3,080,367 (a)	4.91
1887	1,211,415	10.	1902	3,244,250	5.32
1888	1,179,916 (a)	2.6	1903	3,531,250	8.24
1889	1,348,015	14.	1904	3,522,950 (a)	9.23
1890	1,364,568	1.	1905	3,880,740	10.15
1891	1,842,770	35.	1906	3,777,100 (a)	2.67
(a) Decrease.			1907	3,925,830	3.93

(1) See Mohonk Report, 1898, p. 49.

Opposition did not stop with the granting of appropriations. In many instances people on the frontier did not believe in education, and consequently did little more than maintain the form of a school. I have been told of one boarding school where the agent took no interest in the school, beyond the fact that it provided convenient salaries for his relatives and friends; the matron visited the school once in three months. That Reservation and School show today the evil results of such criminal ignorance and negligence.

Present day methods, however, are probably compounded of very much less indifference. The evils of the system are due, in chief part, to the inconsistencies of administration and the inefficiency of the field force.

At the present time we have three types of government schools, the Day School, the Reservation Boarding School and the Non-Reservation Boarding School. Each has its advantages, each its disadvantages.

The Reservation Boarding schools, of which there are in 1907 ninety, with 11,007 pupils, have a local patronage, and can adjust themselves to local conditions. Generally the children go home for summer vacation, and the parents can come to the school, and in many cases the children go home on Saturday and Sunday. The larger force of employees and teachers necessary to the care of so many children makes it possible to divide the work among specialists, and so the children are given a better instruction than can be provided in a day school where one teacher must handle all the classes, literary and industrial.

It is the purpose of these schools to provide for the scholars the essentials of a civilized home-life, and to train them in all those simple duties which make up the routine of the average civilized rural family. The boys are taught the work of the farm, the care of stock and the use of the tools of the carpenter and engineer. The girls have their industrial training more particularly directed to the arts of the kitchen, the laundry and the sewing room. But neither boys nor girls are limited to these few subjects, and in some schools the provisions made for the teaching of many industries almost rival those of the more elaborate Non-Reservation Schools.

It is plain to be seen that the Indian child is offered a

chance to learn the essentials of our farmer's life. Yet it may be questioned whether the girl who helps to cook for one hundred and fifty children will grasp the process of providing for a family of two or three. The girl who darns stockings continuously three hours a day for two months stands a chance of acquiring a decided preference for hole-y stockings.

If any more money is to be spent in the building of Indian boarding schools, that money should not be put into immense dormitories, kitchens and dining rooms. The same wisdom which would abolish institutional orphan asylums for white children and create Placing-out societies, would ensure the erection of a sufficient number of cottages for the home life of small groups of children. This would cost more money, but it would tend more surely toward the end of the government—the revelation of a new life to the on-coming generation of Indian children. With the object attained the expense will cease.

The Non-reservation Boarding school has led the way in Indian education, and been the object of much praise and much abuse. Valiant work has been done in it, and great victories won. It has been blamed not often for what it has done, but chiefly for what it has not done. It has endowed the Indian youth with many possibilities; it has not always realized on those possibilities. To a certain extent it has made a new creature and sent it to an impossible environment. The solution of the problem lies not in the preservation of the old creature, but in the attainment of a new environment. And this was not within the power of the school. Our government and our people have failed to realize this truth, and to act upon it. The backslidings of "returned students" can not be laid exclusively upon the school, nor upon the scholar. We, as a people, may have done the first half of our duty, but we have neglected the second half—that is, our duty to the scholar after he leaves the school. Bagehot calls attention to a principle which is not commonly understood. It affords an explanation of the wild character and frequent retrogression of the half-breed, and of the educated native. Both are freed from the old social control, both are apt to be equally free from the bonds of the dominant race:

"The mixture of races has a singular danger as well as a singular

advantage in the early world. We know now the Anglo-Indian suspicion or contempt for 'half-castes.' The union of the Englishman and the Hindoo produces something not only between races, but **between moralities**. They have no inherited creed or plain place in the world; they have none of the fixed traditional sentiments which are the stays of human nature. In the early world many mixtures must have wrought many ruins, they must have destroyed what they could not replace—an inbred principle of discipline and of order."

There are two ways of saving the new Indian. One is associated with General Pratt's dictum: The way to civilize the Indian is to put him in civilization and to keep him there. This is undoubtedly the most effective means for the particular individual who is thus persuaded to leave his own people. There are very many Indians scattered all over the country who are successfully living the civilized life. But the instincts of the majority carry them back to the Reserve, from which the older people, too, can never go. These people are in large measure left out of General Pratt's scheme.

The second way of reaping the harvest prepared in the non-reservation school is found in many forms of industrial, settlement, and spiritual work to be carried on on the reservation itself. This subject will be referred to again in another chapter.

The purpose of the non-reservation school is almost implied in its name; the adjective is more suggestive and important than the substantive. It is the theory of its advocates that the surest and quickest way to transplant an individual from a state of barbarism to civilization, is to move him when a child bodily from barbarism to civilization. Let him feed on the substance and breathe the air of civilization, uncontaminated by the poisons of barbarism. The theory is sound, its application has been inadequate, its results all that could have been expected.

The farther apart the two stages of culture, the more imperative is the cutting of connection between the life of the young from that of the old. The young shoot must be grafted early and firmly upon the better stock. A Jesuit priest after years of experience and thought told me that he planned the equivalent of a non-reservation school right at the mission on the reservation. He saw but one hope of elevating the Indian race, and that was to keep the Indian girl from the

age of ten continuously at the school, without a single night's stay at home, until she left after marriage at the school to an educated boy. To that end he intended to devote ten years of his life, and the results were to determine the continued existence or the immediate abolition of the mission. A Canadian Superintendent after a generation of experience told me that the practice of allowing Indian children to go home from the reservation boarding school summers, Saturdays and Sundays, meant simply the postponement of results for twenty-five years.

The non-reservation school has two widely different phases of work. Properly speaking it is a higher school for the education of the brighter minds among the Indian youth. They are particularly well provided for training in the industrial arts. The school at Chilocco, Oklahoma, claims to be the "best equipped school in the Indian service for imparting a

NON-RESERVATION SCHOOLS.

Location of Schools	Date of Opening	Em- ployees	Pupils
Carlisle, Pa.	1879	80	1,025
Chemawa, Oreg. (Salem)	1880	42	581
Chilocco, Okla.	1884	73	778
Genoa, Neb.	1884	30	334
Albuquerque, N. Mex.	1884	30	311
Lawrence, Kans. (Haskell Institute)	1884	69	834
Grand Junction, Colo.	1886	21	238
Santa Fe, N. Mex.	1890	34	367
Fort Mohave, Ariz.	1890	21	226
Carson, Nev. ....	....	26	290
Pierre, S. Dak.	1891	17	157
Phoenix, Ariz.	1891	61	763
Fort Lewis, Colo.	1892	22	199
Fort Shaw, Mont.	1892	32	354
Flandreau, S. Dak. (Riggs Institute)	1893	39	406
Pipestone, Minn.	1893	21	214
Mount Pleasant, Mich.	1893	33	340
Tomah, Wis.	1893	27	300
Wittenberg, Wis.	1895	14	155
Greenville, Cal.	1895	9	99
Morris, Minn.	1897	19	178
Chamberlain, S. Dak.	1898	19	201
Fort Bidwell, Cal.	1898	9	79
Rapid City, S. Dak.	1898	26	250
Riverside, Cal.	1902	46	600
Total		820	9,279

practical knowledge of the agricultural industries." Its advertisement tells of about twenty-five industries taught in the trades school. Hundreds, if not thousands, of white boys and girls would jump at the chance to get the free support and education of a school, having thirty-five buildings principally of stone, heated by steam and hot water, lighted with electricity, and provided with the most modern conveniences and equipment.

Such institutions are evidences of the munificent provision which the government would make for the Indian race. The chief objection, of course, is that the equipment may be too fine, and train the youth to the use of tools which he cannot secure or apply on the reservation. It is not probable that the girls, for instance, will be able to use electric heated irons at home. But such criticisms are oftentimes more factious than genuine.

The second phase of the non-reservation school work is that known as the Outing system. The credit for the idea, and especially for its thorough working out, belongs to General Pratt, of the Carlisle School. The system is but the logical outcome of the general theory of non-reservation methods. If civilization is to come by contact with civilization, it surely is more certain of attainment if the child is not merely taken from the reservation, but is passed on from the institutional life of the big school to the home life of an American family and to the close association with white child life as found there and in the public school. No more intimate contact with the realities of our civilization can be imagined. Other schools have tried this plan, both in this country and in Canada, but none has carried it out on anything like the scale that Carlisle does. Out of fifteen hundred children Carlisle keeps about five hundred scattered among the homes, principally on the farms, of Pennsylvania.

These children are not received as paupers or as subjects of charity, but are paid for services which they render on the farm and in the home, while they attend the schools of their neighborhoods. And even under these conditions the demand for them is several times the number available. It would seem that the system is capable of very great extension. The cases of Dr. Charles Eastman and of the Reverend Sherman Cool-

idge are but illustrations of the results accruing to adoption in white families. Both were taken prisoners as boys and brought up in white surroundings and in white schools. Both are in full sympathy with civilization, and both have returned to draw their own race to the light which they have seen.

If more children could be sent to the non-reservation schools, and through them into white families, and if they could go earlier and stay longer, the Indian problem would be solved so much the sooner. It would be even better, if through governmental means, and through the efforts of some voluntary association, many children could be sent out into families ready to adopt them. If Pennsylvania can absorb five hundred a year, the country at large could profit from the home care and the return service of five thousand Indian children. (1) Such a system of distribution could best be accomplished by an undenominational religious organization, backed by the government and its various agencies.

The rule that requires the people who take the children to pay them for their services doubtless operates to limit the applications of those who would unduly exploit the labor of the children. But it must also limit applications from those who would furnish the best of influences, but who cannot afford to support and pay outside help. The government could well afford to assist such families, at least for the first few years, when the children may be more expense than help. There would be danger in this, as a little experiment in New Brunswick in the first quarter of the nineteenth century shows. There a plan was devised "of apprenticing children of Indians in various families in Sussex Vale, with an annual allowance of from £10 to £20 each. (2) But after fourteen years' trial, the scheme was found to have been greatly abused, and was therefore abandoned gradually as was found possible." With a full recognition of the dangers, it is possible to see also that the plan would operate to the great advantage of many children, and to the saving of much money to the government. It is probable, however, that even under the present methods, very widely extended distribution of the children could be secured, should the government really desire to send them

(1) Commissioner Leupp at Los Angeles, 1907: "The outing system I should be glad to see extended to every boarding school in the service. Indeed, I believe the outing system is the best feature of our schools."

(2) History of the New England Co., p. 18.

from the schools. Economy and results certainly lie in that direction.

Doubtless many individual scholars could be brought into more intimate contact with our civilization, if they could be transferred from the government boarding schools to many of our private boarding schools, in the same way that they are sent to Hampton. Direct contact and competition with white scholars could be secured, as in the Outing system, without, of course, the home influences, but also without the possible lowering of the standard of school work. This would tend to the elimination of the necessity of a government school plant.

Such a suggestion brings up at once the question of sectarian appropriations. That question is a serious one, and one which we have in considerable degree settled so well, that we do not want to have to settle it again. Yet if for the last two years of the school life, the scholar could be allowed to choose from among standard white normal and industrial schools and colleges, the government could well afford to turn over to the pupils half the usual yearly expense of their training to enable those so inclined to enter more thoroughly into the white man's world.

The day school constitutes the third type, and judging from the practice among the white race, it is destined to become the main type in primary education among the Indians also. (1) It is a local school for the training of the children, while they remain in their own homes. It cannot raise the standards and ideals of the individual child so rapidly as the boarding schools, but it is perhaps the chief existing means for the raising of the standards of the tribe as a whole. Each return home on the part of the child doubtless tends to lessen the influence of the teacher upon the child, but it also tends to change the notions of the parents. So an equilibrium of influences is established, but it is a moving equilibrium. Advances, even though very slight, are made, and the progress

(1) Commissioner Leupp at Los Angeles, 1907: "In time we shall put one reservation boarding school after another out of commission. Finally our little day schools, which are at the foundation of our whole system, will in all probability merge in the course of 20 or 25 years, into little village schools continued by the local white government, but conducted for all the people alike; they will become a part of the great common school system of the United States which has done so much to make our country what it is today."

made has a solid basis, in that it is largely either unconscious or voluntary, and no opposition is created between the youth and the adults. No conscious gulf of difference is made to yawn between the young and the old, over which the voice of ridicule and scorn can call with such withering effects. The boarding school is preeminently the hope of the coming generation, while the day school is the hope of the past generation.

There are several difficulties in the way of the establishment of a complete system of day schools. But the first great argument against them lies in the difficulty of securing regular attendance. From two important sources in Canada I heard a decided opposition expressed to the day schools because of the irregular attendance upon them; government reports in New York and elsewhere point out the same difficulty. Nevertheless, it is an obstacle which must be met and surmounted. It is not an impossible problem. Indian police can fill up the day school just as well as the boarding school. State laws for compulsory education can be just as effective over an Indian population as over a white population. Whenever the nation or state so wills it, the law and the means of compulsion will be found. Any failure will be the white man's failure. Safety and economy demand efficient legislation and action in this regard. A stitch in time saves nine.

There remains still to be discussed the contract day schools. They are not essentially different from those we have

CONTRACT DAY SCHOOLS

Year	No. of Schools	Contract No. of pupils	Enroll- ment	Avg. at- tend- ance	Ratio to en- rollment Per cent.
1891	8	91	7	4	57 1-7
1892	14	212	190	106	56
1893	16	268	212	123	58
1894	27	259	204	101	50
1895	36	487	319	192	60
1896	45	558	413	294	71
1897	38	384	315	195	62
1898	31	340	314	197	57
1899	36	359	326	167	51
1900	22	175	246	118	48
1901	19	121	257	131	51
1902	16	110	189	98	52
1903	12	99	164	81	49
1904	7	61	97	57	59
1905	6	56	84	51	60
1906	6	67	94	50	53

Such irregular attendance could and should be prevented.

been considering, save in the manner funds are disbursed. When it is possible the government allows the Indian children to attend the local district schools, just as they will do as a general rule when the tide of white advancement intermingles the two races more closely together. The government pays the tuition fees for the Indian pupils. The results thus far have not been so satisfactory as it was expected they would be, nor as they are likely to be in the future.

A sense of historical completeness requires some reference at this point to the practice of aid to sectarian mission schools. The Peace Policy, as we have already seen, early led to jealousies, bitterness, and even unseemly squabbles among the religious denominations of the country. The Catholics were first aggrieved in the allotment of ecclesiastical territory, but later the Protestants found that the energy and persistence of the Catholics was reversing the position of advantage not only in territorial control, but particularly in the distribution of government funds. The evils, necessary and unnecessary, of the competition of churches for such funds resulted in action which finally led to the complete cessation of government aid to sectarian mission schools. James M. King in an address (1) in 1890 maintained that:

"Responses from thoughtful and liberal Protestants, Roman Catholics, and Jews * * * have shown all but a unanimous consensus of opinion against such appropriations, as both perilous in precedent and harmful in results." As general secretary of the National League for the Protection of American Institutions, he was then preparing "an appeal to all the religious denominations, asking them to withdraw all applications for appropriations, and to refuse to receive appropriations from the National Treasury."

The Protestants as a whole did withdraw their applications.

Naturally the struggle did not stop with a contest over funds, but extended to the control of offices and particularly of policies. In the following year another pamphlet (2) maintained that:

"During the last administration, the Superintendent of Indian Schools, Mr. Riley, was a Catholic, as was the Chief of the Educational Division in the Indian Bureau, his first assistant and principal clerk. The Commissioner of Indian affairs was subservient to Catholic interests, and in fact the Indian Bureau was completely dominated

(1) King: *Sectarian Indian Schools, or the Relation of the Churches to the General Government in the Education of the Indian Races*, 1890.

(2) King: *Facts concerning the Bureau of Catholic Indian Missions*, 1891.

by the Catholic Bureau, in consequence of which the government Indian Schools were neglected and the Catholic schools fostered in every possible way." "When the present Commissioner announced his intention of non-partisan, non-sectarian Government Indian schools, modeled after the public schools, the Catholic Bureau immediately became alarmed, and entered upon a most vigorous campaign to obstruct his work. The Catholic Congress assembled in Baltimore appointed a strong delegation, with Bishop Ireland at its head, to wait upon the President and demand that he should recall the nomination of General Morgan, which he declined to do. The head of the Catholic Bureau then filed charges before the Senate Committee, accusing the Commissioner of falsehood, bigotry, and dishonor, and a tremendous outside pressure was brought to bear upon individual Senators to induce them to vote against his confirmation * * * But the Commissioner was confirmed."

Entirely regardless of the facts in the case, the situation was an intolerable one, humiliating both to Congress and people, demoralizing to sectarians, and ruinous for Indians. The first step toward the elimination of the seeds of discord was taken in the Indian appropriation bill for 1896, which provided: "That the Secretary of the Interior shall make contracts, but only with present contract schools, for the education of Indian pupils during the fiscal year ending June 30th, 1896, to an extent not exceeding 80 per cent of the amount so used for the fiscal year ending June 30th, 1895, and the government shall, as early as practicable, make provision for the education of Indian children in Government schools."

In 1900 it was enacted "that the Secretary of the Interior may make contracts with contract schools, apportioning as near as may be the amount so contracted for among schools of various denominations, for the education of the Indian pupils during the fiscal year 1900, but shall only make such contracts at places where non-sectarian schools can not be provided for such Indian children, and to an amount not exceeding 15% of the amount so used for the fiscal year 1895, the same to be divided proportionately among the said several contract schools, this being the final appropriation for sectarian schools."

This was the last appropriation to such schools by Congress.

With this, however, the question was not settled. Appropriations continued under the guise of rations. But on August 23, 1901, the Commissioner of Indian Affairs sent instructions to Indian agents as follows: "You are directed not to issue rations or anything whatever to any child attending a mission school, whether it is entitled to rations at home or not." Later in the same year he wrote to heads of mission schools:

"Congress has not only made no provision for furnishing of rations or provisions to sectarian schools after July 1, ultimo, but has distinctly declared that it is to be the settled policy of the government to hereafter make no appropriation whatever for education in any sectarian school. The Department has no discretion whatever in this matter of issuing rations or clothing or anything else to sectarian schools. The spirit as well as the letter of the law must be carried out by agents."

An effort was made in Congress in 1902 to change this decision, but it failed.

Bishop Hare of the Episcopal Church, whose mission schools were fatally struck by this order, appealed to the Secretary of the Interior, and then to the President. The latter referred the matter to the Attorney General, Mr. Knox, who held that "the issuance of rations to them (mission schools) for the benefit of Indian children in their case would certainly offend the spirit of the acts of Congress last cited, for in saving the necessary expense of maintenance, it would have the beneficial effect of a direct appropriation. I am therefore of opinion that the Commissioner of Indian Affairs, who must respect the settled policy of the government, as thus declared by Congress, has no authority to grant Bishop Hare's application."

The Bishop abandoned his schools, and the matter was settled again.

What was then the surprise of the country to learn in the summer of 1904 that large contracts for the conduct of mission schools were being made by the Department of Indian affairs with two different denominations. It was finally shown, however, that the funds appropriated were not government funds at all, but Indian moneys held in trust by the government, Attorney General Moody ruling that the government retained its trustee rights over Indian funds 'notwithstanding the declaration of Congressional intent not to make appropriations in the future of public moneys of the American people for sectarian institutions.' Thus was another definition made in American policy: the most ominous feature of the situation lay in the fact that thousands of dollars had been expended for years with scarcely a man outside the Department aware of the fact. Such secrecy is not essential to republican institutions.

The question, therefore, remains unsettled. Moreover, suspicions evidently had been aroused at the opening of the year 1905 that rations were still being issued to some few missions. Both House and Senate requested information on the point, and received answer (1) from Commissioner Leupp in almost identical words to the effect that "No part of any funds appropriated by Congress has been used, so far as this office knows, in the purchase of rations for the children attending the sectarian schools." This statement, of course, must be interpreted in connection with a possible violation of the law, which he had reported to the House Committee on Indian Affairs on January 31, 1905. The possible exception involved an interpretation of the law and of the Black Hills Treaty with the Sioux in 1877, to which the Northern Cheyennes and Arapahoes were party. This treaty promises rations, schools, etc., for the Indians concerned, and is met by annual appropriations by Congress; there is no permanent trust fund involved. Commissioner Leupp, then but newly inducted into office, put the case thus:

"On July 1, 1904, a contract was executed between this office and the Bureau of Catholic Indian Missions for the care and education at St. Labre's Mission, Tongue River Reservation, Montana, of sixty Indian pupils.

"The question has arisen, can the appropriation for the Northern Cheyennes and Arapahoes, already quoted, be legally used to pay the bills arising under this contract? In other words, is it a Government appropriation within the meaning of the inhibition relating to sectarian schools?

"Up to 1904 this office always acted upon the assumption that this and similar appropriations were made from Government funds and not from funds that are in any way vested in the Indians.

"The agreement of 1877 obligates the Government * * * and to fulfill these obligations Congress places at the disposal of the Indian Office a certain sum of money annually. If, after these obligations are discharged, any of this money remains unused, it belongs to the Government and not to the Indians. Acting upon this principle, at the end of each fiscal year the Office returns the unexpended balance to the Treasury to go back to the surplus fund there."

The Commissioner asked for a ruling on this point from the Attorney General.

President Roosevelt, February 3, in a statement to the Secretary of the Interior, said: "The special case of the St. Labre school stands by itself, the question being whether

(1) House Doc. No. 374, Feb. 28, 1905. Senate Doc. No. 179.

the contract entered into is one authorized by the finding of the Department of Justice in January, 1904, or whether it is one of those cases forbidden under the decision of the Department of Justice of January, 1902. The Attorney General will speedily report the category in which this case comes." Evidently the chief of division in charge of such contracts did not hear of any adverse decision upon this point, for the contract was executed and fulfilled. As a matter of fact no decision was rendered up to December 23, 1905, for on that date, and in lieu of such decision, the President in a letter to Commissioner Leupp distinguished clearly between trust and treaty funds, but, pending Congressional action, ruled that contracts already made for that fiscal year might be paid from treaty funds. In May an injunction suit was filed by certain Rosebud Indians to prevent the execution of the contract with the St. Francis mission, and to test the legality of such use of both trust and treaty funds. No contracts which involved the granting of treaty funds to mission schools were entered into for the fiscal year 1907. Trust funds continue to be so used.

It was the delay, and particularly the secrecy in Indian affairs in the past, that constituted the great injustice in these matters against which protest might have been made. During this same period a contract similar to the St. Labre was carried out on one of the reservations, without any record of the facts in the Indian office, and not for a whole year could the truth be so presented to the Commissioner that he could take notice of the matter and order the continuous misappropriation of government property stopped.

If a treaty obligation constitutes a fund so vested in the Indian that it is distinguishable from Government funds, how many former "appropriations" will become Indian property, subject to the disposition of the Department of the Interior?

There is, apparently, one, and only one, solution to this problem. That is to forbid under any guise the handing of government or tribal funds or goods to sectarian associations. It is obvious that such a policy would be to the peace and prosperity of Congress, people, and sectarians. It is almost equally obvious that it would be to the advantage of those dependent peoples whose interests are supposed to be the

object of any and every policy. Nevertheless the last Congress provided for the granting of rations to mission schools.

There has been some talk of transferring the management of the Alaskan schools from the Bureau of Education to the Indian office. National Commissioner of Education Harris very kindly put in my hands a copy of a portion of a letter opposing such transfer, written in the spring of 1904:

"The question ought to be settled on the grounds, first, of efficiency of management of schools, and secondly, on the ground of economy of expenditure from the United States Treasury." "As now managed the Indian Office certainly deserves the commendation of all who are interested in the education of the aboriginal races of America. There remains, however, another question as to the management of the natives of Alaska, namely, whether the methods which have been adopted by the Bureau of Education are more economical than those of the Indian office, and whether the methods adopted are as good or superior in the matter of results."

Dr. Harris finds that the per capita cost of the education of the Indian children is \$129.79 per year. The average cost for the Alaskan children is \$26.10. If the cost of reindeer supplied to apprentices in Alaska be added to the school expenditures for the year, the per capita cost of education rises to \$28.80 per annum. One more expenditure can be reckoned in; about eighty Alaskan children are educated per year at Carlisle at a cost of \$167.00 apiece. Combining this with the preceding, we get a final average cost of \$34.66 per capita.

"It is submitted that the method which the Bureau of Education has been obliged to adopt for the sake of economy, the appropriation of the Government never having been one-third as large as it should be for the establishment of schools enough to meet the demands of all of the natives of Alaska * * * is far more economical than the expenditure for Indian schools in the States, because of the saving for food, clothing, and shelter, which is forced upon the parents not to their injury, but to their benefit in making them self-supporting."

It would almost appear that if any transfer of jurisdiction were to be made, it should be of the Indian schools to the Bureau of Education rather than of the Alaskan schools to the Indian Bureau. The present Indian Commissioner, however, now holds that:

"The present practice of feeding and clothing and lodging an Indian free in order to make it easier for us to force upon him a degree of learning which he does not wish, and of which in most cases he can and will make no use, is all folly. (1) * * A grounding in the rudiments he should have, whether he seeks it or not; but everything above that he should aspire to, and be willing to work for, just as the white youth does."

(1) At the Los Angeles Institute, 1907.

KINDS OF SCHOOLS

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The following tables show the statistical history of the government schools since 1877.

Year	BOARDING SCHOOLS		DAY SCHOOLS		TOTALS	
	No.	Attendance	No.	Attendance	No.	Attendance
1877	48	.....	102	....	150	3598
1878	49	.....	119	....	168	4142
1879	52	.....	107	....	159	4448
1880	60	.....	109	....	169	4651
1881	68	.....	106	....	174	4976
1882	71	3077	76	1637	147	4714
1883	80	3793	88	1893	168	5686
1884	87	4723	98	2237	185	6960
1885	114	6201	86	1942	200	8143
1886	115	7260	99	2370	214	9630
1887	117	8020	110	2500	227	10520
1888	126	8705	107	2715	233	11420
1889	136	9146	103	2406	239	11552
1890	140	9865	106	2367	240	12232
1891	146	11425	110	2163	256	13588
1892	149	12422	126	2745	275	15167
1893	156	13635	119	2668	275	16303
1894	157	14457	115	2639	292	17220
1895	157	15061	125	3127	282	18188
1896	156	15683	140	3579	296	19262
1897	145	15026	143	3650	288	18676
1898	148	16112	149	3536	297	19648
1899	149	16891	147	3631	296	20522
1900	153	17708	154	3860	307	21568
1901	161	19464	143	3613	304	23077
1902	163	20576	136	3544	299	24120
1903	162	20772	144	3610	306	24382
1904	162	21582	141	3522	303	25104
1905	167	21812	145	3643	312	25455
1906	169	21848	149	3644	318	25492

CHAPTER VI.

EDUCATIONAL POLICY.

Need of consistent theory. Distribution of scholars. Function of each type of school. Power of the Office. Records, Efficiency in each school. Importance of the WHY. Training vs. drudgery. Literary vs. manual. Need of more teachers. Specialization of advanced schools. Proposal of a winter school for the adults. Supreme importance of the teacher. Appointment. Civil service. Other inducements. Superintendent of Schools. Inspectors. Field Assistant. Salaries. Pay of kindergartners. Higher education. Race leadership.

The chief need in the educational work for the Indian is in the first place a consistent theory of the relations of the parts of the system, and in the second place a thorough and uniform application of the theory. The lament, implied or expressed, in the reports of the Indian Office, over the undue increase of the non-reservation schools, is almost pitiful. (1) It indicates the possibility that it is not always the need of the Indian that inspires the building of the handsome large Indian school, but rather the needs of the Congressman and the desires of his constituents for a market for produce. The struggle for scholars among the various schools, and the per capita system of appropriation of the school funds to them, which causes the struggle, are not matters tending to school efficiency or national pride. Even under recent rules, limiting the fields of competition, conditions are bad enough. The government should have the power to apportion absolutely both pupils and funds. The interests of the scholars should be the sole criterion of the policy of the department; the rise or

(1) That this lament does not grow less is indicated in the statement made this summer by the Commissioner at the Los Angeles Institute:

"The non-reservation schools, most of them, are simply kept in existence by sending out runners in every direction to gather the children in by main strength, if they have to be half-torn to pieces in the process when two or more emissaries get after them at the same time."—Indian School Journal, Nov. 1907.

fall of particular schools should have nothing to do with it. There should be no struggle for scholars in order to secure equipment, nor for equipment in order to secure scholars.

In the second place, each kind of school has its particular function. It should exercise that, and it should not entrench upon the field of the other. The Commissioner of Indian Affairs in his report for 1903 says: "The ideal system therefore is—and it could be carried out but for the excess in number of non-reservation schools—to enroll the young child of the camps in the day school, then pass him into the reservation boarding school where he should remain until he has completed the sixth grade, when, if he possesses the natural aptitude to acquire a trade or further education, send him to a non-reservation school * * * This is an ideal system, but for reasons over which the the Department has no control it seems impossible of being carried into effect." This fundamental weakness of the Indian Office could and should be cured.

When the Office has been given the power essential to efficiency, it should make that power evident throughout the whole educational department. The multitude of differing policies on the reservations and in the schools should be brought into subjection to the one great controlling plan formulated in Washington. This does not mean the exercise of petty tyranny, but it means the prevention of pettier tyrannies of a thousand kinds. The office should fix the conditions under which the pupils should pass from one type of school to another, nor leave the decision to the Agent or Superintendent who may not believe in one type or another, or who desires credit for a full school, or who wishes to get rid of troublesome pupils, or who wants a free trip across the continent as chaperon of a party of Indian children. The policy should not be a vacillating one. The school that sends out a party of children to a non-reservation school, and then for twenty years forgets to repeat the process, cannot hope to secure results. The larger the proportion of returned students on the reservation, the greater the probability that they can maintain their new standard against the old. (1) The policy

(1) The Indian Industries League report for 1903: "Above all other points of difference, the degree of progress of a tribe is in proportion to the number of its young people who have seen for themselves something of the white man's life and have had opportunity to carry out their ideas."

once begun involves its own continuance. Stoppage or intermission destroys the hope of profit from the step already taken.

Logic further requires that the child's welfare shall not be subject to the whim of the parents. The merest trifle will often turn the guardian's mind just at the critical moment, and ruin the child's prospects. So long as the Indians are to be treated as wards, and compelled to attend the day school, or reservation boarding school without any choice in the matter, it is equally the duty of the government to command attendance at the non-reservation school, if the ultimate good of the child demands such action. Not policy, not sentiment, but duty should rule in the matter.

Having established the stages of progress at which the transfers are to be made, the Office should keep a record of the work done at the various schools, and call to account those schools that, considering local conditions, do not come up to the mark. If the criteria of judgment are "literary", no school should be excused on the ground of false or even true industrial training. There are schools in the service far behind their rightful position because of the indifference or wrong notions of the local authorities.

A thorough-going plan of this sort might seriously interfere with one or more of the existing non-reservation schools. Even though some had to be closed that should not prevent the exercise of wisdom in the care of our wards. Shut them up if necessary. However, there are plenty of children in the country who need care, training and education. White children of pure American stock could profit from such schooling as much as the red children do. Then, too, there are thousands of children of many races, even orphan children, who could enter such an institution to learn lessons in English, in industry, and in race toleration. Commissioner Leupp favors turning 19 or 20 of these schools into State schools for both races.

Along with an efficient organization of the system of schools should go an equally efficient organization of the work at each school. It is important that the twelve years of school life should tell immensely in many ways. Intensive rather than extensive work should be the rule, that is the thoroughness of the work should be considered far more than the number and variety of the studies and industries taken up.

The how and why of the school work should be carefully foreseen, before the work is begun.

The government inspector who lays down the rule that in industrial training it is more important to teach **why** a thing is done than **how** it is done may not find a ready acceptance of his views on all the reservations, but he speaks an essential truth. For, contrary to the opinion of many, it is not inability to do things that keeps the Indian idle; it is **lack of motive**. The Indian is strong, the Indian is industrious in his own way, and the Indian is adept in the work that appeals to him. The main purpose of education is to furnish him with the standards and motives, which will induce him to apply the arts and industries which he incidentally acquires. (1) Such a view does not disparage in the least the best and most exacting training which our schools can furnish, but it will serve to keep in balance the hours and kinds of instruction. Incidentally it means that there is a distinction between training and drudgery. Work for work's sake, and work for the object's sake are not primarily training. (2) The government should hire enough help to do all the work of the school and farm, except such as can be included in some fairly well planned scheme of instruction. A thing done out of order is apt to be botch-work, and to confirm botch methods. A thing well learned is not improved upon by repetitions required because of the need of a particular object; the work is apt to be waste effort,

(1) Since the above was written, the principle has been expressed more exactly by one who can speak with authority. "Many mistakes have been made, arising from the wrong notion of the object of manual training. Hence in one locality manual training has a strong tendency to run into trade training; in another it runs into art work; in another it runs into the factory idea and aims at production rather than education. Some people fancy that manual labor is the same as manual training. We are frequently told that the boy from the farm has had manual training; and it is true he has had some manual training, but he has had a great deal of manual labor with it. I know, because I was a farm boy and learned everything that could be learned on a farm previous to my college course. * * * Nineteen-twentieths of my time was spent simply in hard labor, which had no education in it beyond an incidental and imperfect knowledge of crops and soils and the market." "Manual training would have been of great value, and a few lessons would have saved me much time and much money." Calvin Milton Woodward, in the Outlook, Dec. 16, 1905.

(2) "More and more every year, from what I see in my own school and elsewhere, do I deplore the waste of opportunity in needless repetitions, and the folly of bad arrangements. I have seen incompetent teachers yielding to the lawless whims and fancies of pupils, when those whims and fancies should have been guided and controlled. The untaught boy has no appreciation of the importance of sequence, and the necessity of knowing just how tools should be used before he undertakes to use them. His object is not manual training; it is a 'finished article,' a piece of furniture, or a toy; and his estimate of the value of manual training is based upon the value of the completed article. Again and again have I stated that the main thing is the boy and not the article; and that, were all the exercises of the year shoveled into the furnace and burned, so far as they are combustible, all the manual training would survive in the developed brains and trained functions of the pupils." Outlook, Dec. 16, 1905.

because the time might have been put to the acquirement of some new power. (3)

The more or less equal division of the time between literary and industrial work requires a no less careful provision, and an equally rigid execution. Care should be taken that one does not entrench upon the other. The tendency at the present time is for the industrial to dwarf the literary—and industrial means, oftentimes, any sort of manual labor. Nevertheless it is not advantageous to take a boy out of school even a half day to level off a tennis court on which white people are to play. Nor is it wise to let a boy choose to dig potatoes or ditches instead of learning his lessons. Such things as these are small, but they retard the pupil, the pupil holds back a class, and the class may slacken the pace of a tribe.

In literary work half the time for twelve years ought to bring much larger results than are sometimes obtained. It is a disgrace to the country to turn out of school at eighteen years of age scholars who cannot speak fair English, and without a fair comprehension of the subject of fractions in arithmetic, not to mention division. That such conditions obtain is due to a number of causes. Two that contribute to it are the entrenchment upon the school hours, and the over-crowding of the school rooms, particularly of the kindergarten rooms. The teacher who has twenty-five wriggling little wild creatures, speaking but one language and that unknown to her, does well if she keeps them interested and quiet. But when the number is raised to thirty-five or forty, can anything at all be expected of her? The question is a serious one, for until the children learn English the rest of their education and of their career halts and waits. Frequently the Indian child can not read our first reader with any ease until he is ten or older. Is there any remedy? It would seem so. It were foolish to expect any industrial work of economic value from a child under ten. He should be kept in school, that is under the control of teachers, as many hours a day as his health will permit. It is not at all essential that he should be kept indoors at hard work all that time, but if kept under control

(3) Professor Balliett says: After muscular movements "become automatic by practice, the brain relegates them almost wholly to the spinal cord. Such movements cease to be of educational value when they are no longer directed consciously by the brain. Any process in manual training ought to stop when it ceases to be brain work. * * * Its purpose is purely educational." Outlook, Dec. 16, 1905.

and in contact with the English language five hours a day, the average child will learn the language very rapidly. This may require the services of another teacher, but the results will exceed the cost. It seems not improbable that the stress of training should be put upon literary work up to the period of "mental retardation," or "arrested development," which comes about twelve or fourteen and lasts for several years before the power to study effectively returns again. It might be equally advantageous to throw the stress on industrial training during that period.

If intensive methods should be used in kindergarten years, no less should they be used in the later years of training. Especially in the industrial work after a preliminary all-around general training, the pupil should, if possible, take the course and pursue the work that will be of direct service in his adult life. One school is pre-eminently prepared to teach the farming industry; perhaps the brightest farmers should be sent there. Another school will probably take the lead in some other special industry, and so in time may come a natural distribution of scholars according to the pursuits they have in mind. (1) One quite serious objection has been brought against Carlisle and Pennsylvania as places of preparation for farming. Many of the western reservations are irrigation countries, and must follow farming methods impracticable and unknown in Pennsylvania. It is not improbable that this objection could be met in a way which would combine several advantages. If the scholars could come to the non-reservation school and the adopted homes at twelve years of age, they could stay there for four years and then those desiring to farm at home could return to the reservation boarding school for the last two years of training. This would give them experience, under competent direction, in the kind of work they were to follow, and at the same time it would enable the reservation school to strengthen the lessons of an outside civilization during two years of partial contact with the old tribal life.

A gentleman high in the councils of the mission and school work of the Methodist church in Canada pointed out to me the unfortunate fact that the Indian children were excused from school at eighteen years of age, "Just at the time

(1) This seems to be the desire of the new Indian Commissioner.

when they were best fitted to gain from instruction." It may be doubted whether either the government of Canada or our own will ever fix the school age above that figure. But there is nothing in the nature of things to prevent the government from allowing the youth of the tribes, and possibly even the older members, to share in the instruction and life of the reservation boarding school during such portion of the year as there may be little work to claim their attention at home. A winter school of several months' duration might be the source of a great social uplift on a number of the reservations.

If a University is "Mark Hopkins at one end of a log and a student at the other," a school is a teacher with one or more scholars. The strength or weakness of a school lies in the quality of the teacher. The ideal teacher in our own schools stands for the best in our community life. He drills in the language, in the concepts, and in the culture already known to his pupil. The teacher of Indians teaches an unknown language and an unknown life. He embodies the religion, the culture, the concepts, and the language which the child is to be taught to know and live. If any teacher needs character, culture, education and skill, it is the teacher of Indians. Upon him devolves the transformation of a race. Shall we measure our interest in the Indian by the inducements we offer to teachers to enter the Indian service? If we do, our interest cannot be estimated as of a very intense nature.

The government has in recent years protected the teachers in their positions by including them in the protected civil service. The permanency of position is an attraction to many persons previously in the public schools of the country. But it is a commonplace that the civil service system is inelastic and cumbersome. Its merit is that it shields its officers from the control of politics and intrigue. Its weakness, in the present case, is that it does not attract nor ensure a high grade of education or efficiency. It puts a premium, therefore, on the average, upon little education and little efficiency. The examinations are such that a high school scholar can pass them—and pass them with higher marks than a college or university man who has been too long away from the elements to remember them. Appointments, too, are based upon locality, an attempt being made to apportion to each state its share of positions.

There is not, however, such a rush for positions in the Indian service, that special ability, once an applicant, may not expect an appointment. Nevertheless, the conditions are such as to discourage rather than to encourage candidacy. The generally long interval between the examination and the appointment probably operates to keep the better man from passing through the process necessary to enrollment as eligible to appointment. (1)

The government necessarily is precluded from fixing any religious or any specific moral tests for admission to the Service. Dr. Jackson, of Alaska, said in 1895: "We require efficiency in our teachers, not politics; and we require religion. So far as I know, there is not a teacher in the public schools in Alaska that is not a Christian. In sending to the native races, the gospel must be the foundation." (2) The Indian office could not make such a statement as that. It is probable that appointments have no political significance—though the Civil Service Commission compels you to register your politics—but it is impossible to fix the same standards in the Indian Service that Dr. Jackson maintains in Alaska. Nor can one school fix any such standard. As a rule, the schools must accept whomever the office sends. But surely every opportunity should be afforded for the securing of the highest talents that would enter the service. The value of the "merit system" lies not so much in the means of admission to the service as in the protection from sinister motives after admission. Graduates of agricultural colleges are exempted from examination for the position of Farmer on an Indian Agency. A similar rule might recognize graduates of standard colleges as eligible to appointment as teachers. At least some definite recognition might be given to the fact in the system of marking which the Civil Service Commission employs. A widened list of superior talent would enable the office to raise

(1) Report of Indian Commissioner, 1906, p. 64: "For various reasons 47 per cent. or nearly one-half of all eligibles receiving appointments decline them. This is sometimes due to their having waited so long that their plans have changed, or between examination and appointment they have found other employment, or illness in the family interferes with any immediate disturbance of its personnel, or the appointee does not fancy the country or the climate into which he is to be sent, or he regards the salary offered as too low, or what not."

(2) In a letter of April 6, 1905, Dr. Jackson says: "I regret that I cannot now say, as you report me to have said, that every teacher in Alaska is a Christian, but I have strong reason to believe that a very large proportion of them are such, especially in the Eskimo, Indian and other native schools, as I do not believe that the ordinary teacher, that is not a Christian, can do his best work and be satisfied to remain in one of the native schools."

greatly the efficiency of the schools, and hasten equally the civilization of the Indians. (2)

Life on a distant reservation is at best a hard one; at the worst it is misery. Much could be done to make existence more bearable, even more comfortable, for the reservation teacher. Such action would make more attractive the frontier life, and so increase the number of available candidates for government appointment.

In varying degree the success of the whole process of civilization depends upon the character and qualifications of the other employes in the field service. Any system, for instance, of appointment of old soldiers as "additional farmers," without special knowledge of the work, or subsequent genuine application to the nominal work of the position may be satisfactory as a means of granting pensions, but is a farce and fraud so far as the good of the Indian is concerned.

Some time some one will make an investigation of the organization of the Indian Department at Washington, and will suggest to Congress the need of one or two changes there. The public does not know, and it would perhaps be hard today to state just what the difficulty is and how it could be remedied. Nevertheless it is impossible to escape the conclusion that to say the least the position of Superintendent of Indian Schools is an anomalous one. It might be accurate to say that it is a useless expense, a fifth wheel in the Department. If Congress desires to have an actual Superintendent, the will of Congress is thwarted. Able, talented, conscientious, energetic as the present Superintendent is, she is practically compelled to be a mere figure-head. The nominal powers of the position are exercised by lesser clerks, while she is allowed to occupy her time with harmless efforts in the drawing up of schedules of study, instructions for the planting of school gardens, and suggestions for the formation of literary societies. Her power is practically nil.

This situation constitutes an extreme injustice to an able Superintendent. But worse than that, it suggests a total inversion of values in Indian philosophy and practice. That

(2) The Alaska School service is not under civil service, but applicants are carefully investigated as to their training, health, moral character and ability. Dr. Jackson reports "this method of selecting teachers makes a great deal of work, but it has proven quite successful, and we think that we are securing a better class of teachers than the average in the Indian service. Nearly all of our new teachers last year (1904) were college graduates." And this in Alaska!

which should be the chief element of Indian work is degraded by a policy which makes its nominal director the most insignificant factor in the whole service.

The efficiency of the field work, and its co-ordination and harmony with the plans of the whole system as laid out in Washington depends to a very large extent upon the kind of inspectors placed in the several districts. If appointments are made for political reasons or given to men of any but the highest ability, training and motives, the whole work must sag below the maximum line of efficiency. And it can not be too often repeated that inefficiency is useless cost, if not worse. Mr. Grinnell, with an inside knowledge of the work of the reservations and of that of the Washington Office, has this to say on this point: Inspectors and special agents oft-times "have received their appointment through political or sectarian influence, and are inefficient, inflated with a sense of their own importance, talking much but doing nothing, and respected neither in the field where their work is, nor in Washington where their reports are known. They are so much dead weight which the Department is obliged to carry and the government to pay for." The situation is very much the same today.

President Roosevelt in his message to Congress in 1905 urged the appointment of a Field Assistant for the Commissioner of Indian Affairs for this very purpose of more closely co-ordinating the work of the department. Congress would do well to heed the suggestion. For President Roosevelt has also seen both sides of the Indian problem, and knows intimately of the need whereof he speaks.

The great preventive of a high level of teaching ability is the low salaries which are paid teachers. Figures compiled from the government report for 1903 shows that in the actual school room service, 72.8 per cent. of the teachers earn between \$600 and \$720 per year, while only 4.9 per cent. receive above \$720; 99.3 per cent. of all receive less than \$1000 per year; only three persons receive above that amount. As a matter of fact, those receiving above \$720 are in the largest boarding schools, and in several cases have not only the title of Principal, but also that of Assistant Superintendent. The salaries below \$500 are few, and paid mostly to assistant teachers, the

majority of whom are Indians. Practically the salaries range from \$540 to \$720, and even of the 81 positions carrying the latter amount, 43 are paid for services in the day schools, in even more complete isolation than in the reservation boarding school.

It is easy to see that the amount of the salary, and the hope of advancement, are not sufficient to attract the type of teacher we ought to have in the service.

In this survey I have not included the kindergarten teacher, for I wished to emphasize the unvarying standard of recompense fixed for her. The government prints the statement (1) that teachers are paid, not in accordance with the grade of scholars that are taught, but with the kind of work done; elementary work can be as highly rewarded as that of a more advanced nature. The Report of 1903 records 47 kindergartners. One receives \$540, one \$720, one \$660, and 43 receive \$600. It is certain that there are others named as teachers who do the kindergarten work, but it is very doubtful whether any considerable number get above \$600 a year. These teachers, added to those we have already considered, show that 95.5 per cent. of all teachers get \$720 or less per year, and 77 per cent. get \$660 or less; 46 per cent. get an even \$600.

The term industrial teacher I have excluded from the class of teachers, for many of them have no connection with classroom work. They belong rather with the industrial class. Their pay runs a little above that of ordinary teachers, and more nearly on a par with that of the farmer, the carpenter, and the engineer.

It must be remembered that these positions carry the holder far from the scenes of civilization, and often bury him in the desert along with a few other white people whom he can not abide. He has to pay large railroad and stage fares to reach his place of duty. He must be on duty eleven months of the year, and perform many unusual pieces of work in the semi-socialistic community in which he resides.

The male members of the teaching force have, or are com-

(1) Rules for the Indian School service, 1900, p. 18, rule 1281. "The salary of a teacher has no relation whatever to the grade or class intrusted to his or her care. If a teacher is promoted in salary, it does not imply a change in work. The teacher who has the highest class may have the lowest salary, and vice versa. * * * Increase of salary will rest upon proved efficiency in the work, and other things being equal, upon successful experience."

ing to have, an incentive, which will be in large part denied to the women. The increasing number of superintendencies, and the combination of the duties of the Superintendent and Agent, and the policy of placing them all under the civil service rules, thus necessitating promotions from the lower positions, furnish a prospect which may draw better men into the service. Whether the Department can find in the service men capable of filling the vacancies as they occur remains to be seen. It is generally considered that the executives of the schools and agencies are improving in type.

Statistics show that there are possibilities of promotion up to about \$1500 in the position of Superintendent; above that there were 19 positions in 1903. One man, assistant superintendent at Carlisle, touched \$2250. The Superintendent of Chilocco gets \$2200, and two men get each \$2000. These are not enormous salaries for the heads of great industrial schools, or for men who run a boarding school and control an Agency. The salaries of Indian Agents proper run up to \$1800, that of the Agent for Indian Territory being \$2500. President Roosevelt in a recent message called attention to the meagre salaries paid to Indian Agents and recommended that they be increased. They should be, but it is probably even more important that the employes who come into personal contact with the Indians, and who probably exert the greatest influence upon the native race, should also be much better paid. The teacher, in particular, should be a man or woman of the highest type, secured and retained by an adequate compensation.

It should be a matter of rejoicing that the standard of the teacher in the Indian Service is above what the salaries would warrant. There are a number of motives that operate to secure a higher average of ability among them. Some go into the Service for the sake of their health. Some go for the sake of the novelty of the experience. Some go with the purpose of the missionary; the Indian service is a great missionary field. The last class is the one that is apt to have the most lasting qualities, and to do genuine good. Nevertheless we must recognize the fact that the servants of the government in the Indian field go for the money that they can make. Not many can afford to earn less than they are able. So the reward offered determines the class of service secured.

The first need of the Indian is an education that will fit him to earn his own living in contact and in competition with the white man. But any theory of education that proceeds from a belief in his essential inferiority or that would limit him to the lower ranks of life and of thought, is a libel on human nature and on the spirit of American democracy. Education of any amount will not make a man, and it may strengthen a rascal. But the undoubted dangers that accompany education are greater in proportion to its limitations and inadequacy, not in accordance to its fullness and amount.

Pride in the results attained by our specific Indian schools should not blind us to the fact that there are higher schools for intellectual and industrial training. The manual training school is not the technical college. The former suits best the needs of the mass of Indians and of the present time. The latter will be the need of the not distant future. A grammar school education is, perhaps, all that the race could assimilate up to the present time; it is an immense advance over nothing, but it is not the basis of a high order of civilization. Throughout the whole system should be spread an ambition to equal the highest attainments and culture of the white race. This is a higher ideal than the accepted bread and butter philosophy so common at the present time. Nevertheless it is not opposed to that philosophy rationally stated. It is simply an extension of it. Nor would it involve the raising of the standards of existing schools, nor the creating of Indian colleges. But I should give the scholars an occasional—or a frequent—glimpse over into the fields of a higher, broader, and more thorough education, and encourage the capable ambition that would leap racial boundaries and compete in the intellectual world with the best that the world produces, and under the stern rules which there prevail. That this has been done to some extent in the past, and that we have able lawyers, ministers, artists, doctors, teachers and engineers sprung from the native race is the best evidence that we have done well by the aborigine, and is the best and most patent proof that the Indian is capable of the highest attainments. Such education is practically the one way of creating that racial leadership which is the chief hope and means of attaining an accelerating progress.

This thought is not a new one, even though it needs occasional emphasis. Harvard College, as we have seen, was founded for the education of English and Indian youth in knowledge and godliness. The charter of William and Mary College, in Virginia, provides for the education of Indians as well as for white men. President Dreher stated in 1896 that for twenty-six years they had had Indians in Roanoke College, of whom, however, only three had completed the course. There are a number of colleges in Indian territory. Henry Kendall College, at Muskogee, reported in 1898 seventy Indians in the college department, and tuition fees are paid by the students, not by the government. Indian University, at Bacone, in its last catalog reports fifteen students in the college department. It is probably wise and necessary to maintain colleges especially for Indians in a section where they are so numerous as in Indian territory, but as a general thing the student adapted to a college education will get the most out of a college intended primarily for scholars of the dominant race. That the other race needs the college, however, must not ever be entirely forgotten. For, as General Morgan has said:

"In preparing this system do not let us forget that after provision has been made for the education of the masses, so that every boy and girl shall have a chance, that it is the education of the few, in a broad and all-round way, that is to do the great work for them. That which has made America what it is today has not been the public schools alone. It has been Harvard, Brown, Yale, Amherst and Princeton, and other colleges and universities, that have filled our halls of Congress, our judicial benches and other important places with men of breadth, culture and power. I believe thoroughly in the common schools, but I do not believe in belittling education for ourselves, for the Indians, or for the Filipinos. We should make provision for all schools, for industrial education, for the high school, the college and the university. To the few among the Indians and other peoples who are destined for leadership the opportunity for the highest education should be given."

CHAPTER VII.

RESULTS OF THE NON-RESERVATION SCHOOL.

Office statistics. Carlisle. Haskell. Hampton. Evident possibilities.

In the year 1901 the Indian office sent out directions to Agents and Superintendents to make a careful canvass of all returned students then living on the reservations, and to give their estimates of the character and conduct of those students.

"From the data thus obtained statistics relating to returned Indian pupils were collected, from which it appears that the government officials, who are thrown in immediate contact with this class of Indians, rate ten per cent. as 'excellent,' the results of the educational methods demonstrating that they have taken full advantage of them, standing out above the average returned pupils, and would be classed, if in a white neighborhood, as men and women elevated somewhat above those with whom they are brought in contact; 76 per cent. compare favorably with white boys and girls under similar circumstances, and indicated by their actions, since their return to the reservations, a career similar to that of the average white man; 13 per cent. have raised themselves somewhat above the level of the Indians in the same environment, but the result of whose education cannot be said to be good; 1 per cent. have not been, so far as their lives and actions are concerned, in any way benefited by the education which has been given them."

These figures are very gratifying, even though we should discount them a little to allow for official pride. It must be recognized, however, that these are reservation judgments upon non-reservation accomplishments, and are therefore not likely to be much exaggerated.

If we take the catalogue of the Carlisle School for 1902, we find there a list of the graduates from 1889 to 1901, with a statement of the positions in life that they are filling. Of the total number of boys, 156, 48 have no assigned occupations; probably most of these have returned to their reservations, where they may or may not hold to their higher standards. Eight are school teachers, five are disciplinarians, nine have other positions in the government schools. Twenty-five have employment in the government Indian service outside the schools. Five are farmers off the reserve, while fifteen are entered as farming on or near the reserve. There are four clerks in stores. The following situations number two each: blacksmith, assistant bookkeeper, student at business college, student at preparatory school, stockraiser, and superintendent of an Indian school. There are three studying at normal schools, four at universities, one medical student, one student at Mt. Hermon, one normal graduate, and one law graduate, and one football player.

Among the occupations claiming but one man each we have railroad work, printer, salesman, assistant postmaster, steam fitter, hack driver, photographer, electrician, assistant cashier, real estate, civil engineer, and soldier.

This is not by any means a bad industrial showing. The wide variety of the occupations in itself indicates a capacity on the part of the Indian which we have been very slow to recognize.

Naturally, when we turn to the girls, we find that the larger proportion are recorded as wives. So we are not surprised to know that 63 out of the 108 graduates have no assigned occupation. But the remaining 45 are an interesting lot. Sixteen are teachers, four are school matrons, two assistant matrons, two clerks, one principal teacher, two seamstresses, and eight are in other government employ. There are three graduate nurses and one other nurse, four normal students, one business student, and one assistant postmaster.

Haskell Institute of Lawrence, Kansas, is one of the very finest schools in the Service. Superintendent Peairs of that school has most kindly provided me with a list of his graduates between the years 1896 and 1904, accompanied by a statement of the tribe to which each scholar belongs and what his present

occupation is. From that list I make out that of the fifty-nine normal graduates, information concerning at least fifty-one is available, and their positions are as follows: Naturally a large number, eighteen, are enumerated as married. Twelve are teachers, three are farmers. There are two each of managers of stores, clerks, lawyers, and one each in the occupations of Superintendent of an Indian School, musician in a band, painter, clerk in bank, civil engineer, postmistress, disciplinarian, nurse, steel worker, stenographer, matron, printer. In addition one is "at home," and at least one is dead.

Of the thirty-two commercial graduates, eight are stenographers, five are clerks in the Indian Service, three are other clerks, two are married, two are farmers, and one is claimed by each of the following: Disciplinarian, merchant, stock-raiser, industrial teacher, printer, professional ball player. One is dead and nothing is known of the remaining five.

The thirty-eight domestic graduates include six married girls. There are five each of housekeepers, seamstresses and cooks. Three pupils are continuing in school, and one has been graduated from the wagon shop. A matron and a nurse make up the total of twenty-seven, whose whereabouts are known.

Among the sixteen trades graduates four are shoe and harness makers, three are engineers, two are farmers, two are blacksmiths, two painters, one printer, and one band musician complete the list of the fifteen still alive.

Out of seventeen academic graduates, two are still in school, two are studying law, and two are teaching. Besides these there a housekeeper, a nurse, a bookkeeper, a stenographer in a railroad office, a teamster, a superintendent of logging, and a disciplinarian. Three are not reported.

Summing up, we see that Haskell can account for 136 out of her 162 graduates, 84 per cent. This is a remarkable showing. The superintendent makes no attempt to classify the students into moral classes, nor to estimate the proportion of failures and successes. But these facts speak for themselves; if they are not great accomplishments, they are signboards of great significance. Excluding the twenty-six girls reported as married, we find that Haskell has turned out in nine years, fifteen teachers, seven farmers, eleven clerks, ten stenograph-

ers, six housekeepers, five seamstresses, five cooks, four shoe and harness makers, three engineers, three merchants, three painters, three printers, three disciplinarians, two lawyers, two musicians, two nurses, two matrons, two blacksmiths, and at least one each in nine other occupations. All this from her graduates, who unfortunately are only a fraction of Haskell's total patronage.

The government still continues to send Indian children to Hampton Institute under a contract with that undenominational school. There can be little doubt that it is a tremendous influence for good for the children privileged to go there. They are picked scholars, and the results are correspondingly good. Miss Folsom, who has charge of the records of returned students, gives us a most interesting and instructive brief statement (1) as the results of Hampton methods.

"It is twenty-five years ago this month that Captain Pratt brought the first Indians to Hampton. . . . Since that time the school has taught 938 Indian boys and girls, 673 of whom are now living. These returned students are doing work and exerting influences which, according to our best knowledge, we classify as follows: Excellent, 141; good, 333; fair, 149; poor, 42; bad, 8. According to this classification 474 returned students are entirely satisfactory, 50 have poor records, and 149 amount to but little either way. They are largely the sick and deficient."

Since the successful first class of three, "79 : : have been graduated, Of this number seven have died, and the others rank as follows: Excellent, 48; good, 22; fair, 7; poor, 4; bad, 1. Fifteen of these have taken the post-graduate course at Hampton, and 16 have taken advanced courses elsewhere."

"It will be seen that the grading of the graduates, compared with that of the undergraduates, makes a tremendous showing in favor of a good education—one that really prepares the student for some definite life work. The per cent. of undergraduates doing excellent work is about 25; that of the graduates over 50, even with a somewhat higher standard to live up to. The percentage of those graded as 'good' is lower among the more highly educated, because their advantages place them where they are either a decided success or the opposite. All those classified as 'good' live Christian lives, are industrious, temperate, moral."

Incidentally, Miss Folsom touches upon the relation of the academic and industrial features of the school.

"Under the old system many boys were allowed to enter trades who could make little or no progress in their academic studies, with the result that in the minds of the students the industrial department was of secondary importance. But since the opening of the trade school with its beautiful building and competent corps of in-

(1) Annual Rept. Dept. of Interior: Indian Affairs, 1903, pp. 436-441.

structors, this department has acquired a dignity that was impossible under the old regime. A certain academic standing being now required for admission to the trade school, the industries are no longer considered stepping stones to the academic department. There is no question but that the work of the hand is looked upon with much greater respect than was the case ten years ago."

These are but three schools out of about twenty-five. But they give us the most favorable reports which can be had. They are optimistic and their figures seem to justify their optimism. Nevertheless it is well to keep in mind the fact that common opinion is not so sanguine, and on the reservations, and near them, disbelief in the methods and results of these schools is very prevalent, if not prevailing. The latter opinion, however, like the former, may be biased by personal prejudice, race feeling, or by unfortunate experience or observation. The man who is hunting for success sees only the successful and the man who is hunting failure sees only the unsuccessful contingent that returns to the Reservation. Frequently, too, the bases of comparison are not just. It will be wisest, therefore, to find in these statistics not primarily results, but tendencies—not achievements, but possibilities. So regarding, we may congratulate ourselves that individual achievements frequently repeated indicate the possibility of ultimate racial achievements—all depending upon the wisdom of the government supplemented, as it should be soon, by native leadership and assistance. Such leadership will come when the educated representatives of the race shall organize in the unselfish hope that by combined action they shall create the basis for a future leadership. Personal ambition would ruin such an effort; delay may be equally fatal to racial prospects. The conditions are ripe for organization. (1)

But apart from the possibility of the creation of a new racial consciousness, and leadership which we may discover in the statistics of the non-reservation schools, we may find even more evident certain truths. Some of these are: (1) The more thorough and the longer continued the school training, the more vital and the more lasting the results. (2) Many individual Indians are capable of acquiring a high degree of skill and culture, and of sustaining the highest type of character. (3) The Indian is not

(1) At the Mohonk conference for 1905, Dr. Lyman Abbott laid stress upon the need of native leadership.

adapted to one mode of living, but is as varied in his tastes and aptitudes as the white man. (4) To raise the Indian race will require as careful, as varied, and as complete training as is given to the white race. (5) The Indian is largely the creation of his environment, and therefore cannot be maintained much above the standard fixed by the environment provided for him.

CHAPTER VIII.

VOLUNTARY AGENCIES.

National Indian Association. Indian Rights Association. Mohonk Conference. Vast sociological experiment in race transformation. Function of government and of volunteer agencies.

The government has expended much effort, time and money in the care of the Indian. But the wise directing of that expenditure has not been solely due to the wisdom of the government. There have been numerous instances of outright fraud and corruption in the use of government funds as well as useless expenditures in thousands of ways. These have bred societies to expose fraud, to put down wrong, and to study conditions with a view to the formulation of sound policies. Moreover, it has been recognized that at its utmost the government must fall short of meeting all the needs of the Indian, and so there have sprung up societies to supplement the work of the government.

Among these societies, one of the largest and most important is the National Indian Association. This was organized in 1879, and five years later it began to send out missionaries to tribes otherwise destitute of care. Up to the present time they have in this way gone into fifty fields of Indian work. When a mission is well established, it is turned over to denominational care—any Protestant denomination—and the same energy is then transferred to the pioneer work of another field. Sometimes a school is started in an unpromising tribe,

and then when success has been assured, the work is turned over to the government as was done in the case of the Digger Indians of upper California. Started in 1890 with twelve pupils, the government took it over in 1896, a school of 80. Now it is a permanent institution in buildings costing \$60,000.

"The Association (1) has other than missionary departments; does not duplicate the work of any society, and was the first association devoted wholly to the Indians to ask for lands in severalty and citizenship for them, as it did in its third annual petition, that of 1881, and these pleas were granted by the passage of the Dawes Severalty Bill in 1887."

"This Association has given special education to bright Indians, training them as physicians, nurses, teachers and missionaries to help and lead their people. It has built homes from its loan funds, placing many Indian families in civilized and Christian homes, and these loans are honestly repaid. It has mission, legislative, hospital, industries and temperance departments, and has built missionary cottages, chapels, school-houses, and homes for the aged."

For nearly a score of years Mrs. Amelia S. Quinton has been the leader and head of this work, and to her must be given much of the credit for the splendid work for the exposure of evils, the reform of abuses, the spread of mission and industrial training, and the building up of a healthy spirit of interest throughout the nation, which has been accomplished by this association.

The Indian Rights Association was founded on December 15, 1882, at the home of the Hon. John Welsh, in Philadelphia, and has from the beginning been inspired and guided by its present Corresponding Secretary, Mr. Herbert Welsh. Its membership has been largely that of the Mohonk Conference and of the National Indian Association. Indian workers join with various organizations for various ends. If we may discriminate the special field of the Indian Rights Association, it is indicated by its title, and consists of vigorous activities for the enforcement of law upon the various reservations and the exposure and punishment of frauds upon Indians wherever perpetrated. It sends its agents to investigate all sorts of complaints, and maintains, in addition to its headquarters in Philadelphia, a representative in Washington to confer directly with the executive departments of the government, and to urge advance legislation or to oppose evil legislation in Congress. Along constructive lines its first efforts were directed to the extension of civil service reform to the Indian service, and to

(1) "A Retrospect and Its Lessons," a publication of the National Indian Association.

it must be given the credit for the great strides, in fact the almost complete success, of that reform in the service. It claims the credit for the passage of the General Allotment Act of 1887, as a result of its efforts "in placing the entire subject in the clear light of facts, and thus convincing members of Congress and their constituents" of the wisdom of enacting the law "devised and prepared in accordance and co-operation with the plans and objects" of the Association. Their agent, Mr. Brosius, was enabled to strengthen that act, by drafting a law, approved April 23, 1904, to protect the title of allottees, by removing from the government its right of arbitrarily cancelling a land patent at any time previous to the expiration of the twenty-five-year trust. To enumerate the details of the results accomplished by the Association would be impossible here. Suffice it to say that its purpose has been to perform a continuous service of disinterested defence of the Indian, of warfare against fraud, corruption and wrong, of propaganda for the best in legislation and performance for the Indian. Such a programme invites criticism and violent opposition. That the Association has generally retained the friendship of the Indian Office is proof of its power and of the general wisdom of its procedure.

The Indian Industries League is a more recent organization which is working in the direction of modern needs. It believes "that the acquirement and practice of useful arts and industries are necessary to the civilization and elevation of the Indians of our country," and it is seeking to make practicable those industries by providing the means of starting them and a market for the sale of the products. It is thus helping individuals to special education or to special work, and aiding in the extension of beadwork, basketry, and lace-work sales. Its far-sighted wisdom is seen in its declaration in 1904, that "the Indians must be helped in selling their bead-work and basketry and in whatever way relieves their present distress, which is acute. But if they are ever to eat bread with the white man, they must fight their way to it with the white man's industries."

In 1883 a number of friends of the Indian assembled at the invitation of Mr. Albert K. Smiley, at Lake Mohonk, to consider the needs of the race, and in every subsequent year

Mr. Smiley's hospitality and inspiration has brought together a similar body of devoted, intelligent and broad-minded men and women for further consultation and discussion. It would hardly be too much to say that the bulk of the progress in Indian affairs has found its inception or its effective statement and propaganda at Lake Mohonk, and through its publications and the influence of the widely scattered membership of the Conference. Here have met the civilian and the government official, the missionary and the philanthropist, the western and the eastern man, the theorist and the practical worker. Each year they have adopted such a platform as all could agree upon. Many of their plans have been realized, and nearly all have had at least a partial trial. They have represented the crystallizations of public sentiment, and have therefore been of necessity great forces in the field of politics and legislation. The conference has compelled the righting of great wrongs, merely by focusing the heat of public opinion upon them. But it has been especially as a constructive framer of broad and far-reaching policies that it has earned a sure place in the regard of the present and the future. It found a condition of chaos; it now sees the government bent upon carrying out the substance of those policies which it has so long worked for. It may be that its political activity in the interest of the Indian has reached its consummation; it ought to be true that the government could carry out its policies without the constant watching of this body of volunteer statesmen. The conference is turning part of its time to new colonial problems, and should be enabled, by wise Indian legislation and administration, to devote its energies to these less obvious problems of colonial and tropical administration,—if so be that its philanthropic impulses shall continue to exist. It has done the great work for the Indian, and indissolubly linked its name with the fate of the Indian, and been able to reflect much lustre upon the record of the Indian administration of our country. All of the long list of eminent men and women who have for so many years gathered at Mohonk are proud to recognize their leader as well as their host in the Quaker Friend of the Indian.

It is interesting to note some of the recommendations of the first Conference. These included, first, that the laws of any state or territory relating to crime, marriage, and inheritance, be extended over the Indians on reservations within

the limits of such state or territory, except in the case of the Indians in the State of New York and in Indian Territory; the said laws of the State of Kansas to be extended over the Indians in Indian Territory, exclusive of the five civilized tribes. Second. That the Indians be admitted to the United States citizenship so soon, and only so soon, as they are fitted for its responsibilities. Third. That all Indians who are ready and anxious to receive titles to separate homesteads, and are capable of taking care of property, should be empowered to do so by proper legislation, which shall, at the same time, secure the lands so allotted from alienation and incumbrance for a period of twenty-five years, or such time after that period as shall be determined by the President and Secretary of the Interior. The Conference opposed leasing of lands, favored the purchase of cattle for the Indians, argued for more schools.

"Public opinion should give hearty support to Congress in making bountiful grants to these (non-reservation) industrial schools, which have already proved themselves to be such 'important factors in the civilization of the Indians.' The sum of 167 dollars a year will not permit thorough instruction to be given Indian children in trades. This allowance should be increased to two hundred dollars." "We would urge an increase in these (school) appropriations to at least twice the present amount."

Similar recommendations were made for increases of the salaries of Indian Agents, and of the Commissioner of Indian Affairs. The latter should have equal powers with the Commissioner of Education and of Agriculture. The platform was signed by Clinton B. Fisk, E. Whittlesey, Albert K. Smiley, W. H. Lyon, Dr. James E. Rhoads, Gen. S. C. Armstrong, Rev. Addison P. Foster, Rev. C. C. Pointer, James Tallcott, John B. Tallcott, Benjamin P. Smith and Herbert Welsh.

This should be compared with the platform adopted by the one hundred and seventy members of the Conference of 1904. The Conference

"rejoices that so much has been accomplished. . . We feel that our paternal care must be continued for some time to come, while to prolong it unduly will result, as such care always does, in weakness and permanent injury. . . We desire to reaffirm the statement made last year that 'in dealing with the Indian the objects to be accomplished are no longer questioned; they are the abandonment of the reservation system; the discontinuance of Indian agencies; such education of all Indian children as will fit them for self-support and self-government; access to the courts for the protection of their rights; amenability to the law in punishment for their crimes; the same liberty that white

men enjoy to own, buy, sell, travel, pay taxes and enjoy in good government the benefits enjoyed by other taxed citizens; and by these means the speedy incorporation of all Indians, with all the rights of citizenship, into the American Commonwealth.' In continuation of the foregoing it is the sense of this Conference that the initial steps should early be taken by Congress looking to the closing up of the business of the Indian Bureau, as soon as it may safely be done, leaving to the operation of the laws of the Nation, and of the several States and Territories the protection of the Indians in their rights of person and property, the education of their children, and in securing to them the privileges and responsibilities of citizenship.'

"Day schools for Indians, where such are necessary, should be extended. Reservation Schools and Indian Boarding Schools must be continued for some time to come, but we believe they should not be enlarged nor increased in number, nor should heavy appropriations be made for permanent improvements. The policy of education, whatever its details may be, should ever have in view the strengthening of family ties, and the developing of the sacred relations of the home."

"The real duties before us with all dependent peoples is the up-building of character. This must be accomplished by the combined influences of religion and education. Our government can provide for the latter, but it devolves upon the Christian people of our land to see that the vast interests of religion are not neglected."

The Indian question is entering upon a new stage, and our volunteer agencies, if needed at all, will have to change their methods and purposes, if they are to meet fully the new situation. More and more the condition of the Indian must approximate that of the white population, more and more measures and means must assume forms applicable to people of all colors.

By force of circumstances the government and people of the United States have been led to undertake a unique piece of sociological work and experimentation, and whether we like it or not, the ultimate results will be applied to other peoples and on larger scales. If the people of the country shall yet have the intelligence and the devotion to effect a rapid transformation of this small body of redskins from a low to a high state of civilization, it will not only effect a marvelous piece of social work, but will demonstrate a method for the regeneration of the populations of the globe. It will revolutionize the practical philosophy of the world. The gain will be first for the people concerned, but chiefly for the greater number of people who shall ultimately profit by the lesson learned. We are spending immense sums upon the

Indian, it may be that we ought to spend more, but a successful outcome of the experiment will more than repay the cost. If we do our full duty, we shall reap a reward that will astonish ourselves, and astonish the world. The real question involved is, can a culture and civilization be transferred from a higher to a lower people? Can one race acquire in a few generations what another race has with difficulty gained through many generations? The implication of our national policy is an affirmative answer to the question. The result of that policy must be the answer worth recording.

It is, then, by the assumption that we are engaged upon an important sociological experiment in race transformation that the line of work for future voluntary associations is fixed. The forces of change must be marshalled in strength and in harmony with this great idea.

What, then, are the fundamental elements of our national policy? (1). The strength of tribal control must be broken. The reservation must go. Gratuities must cease. Distinctions of race must disappear. Closeness of contract with the real elements of civilization must be made wider and more vital. These are within the province of governmental action. (2). Civilization must be carried to the reservations, and upheld there. Initiative for industrial and religious life must be carried to the Indian by the social settlement and the missionary. These are the fields of voluntary associational activity. The time for the harvest has come. Delay will lose the harvest; now, and only now, can the reward be ensured.

CHAPTER IX.

MISSION AND SETTLEMENT WORK.

Relation of the religious, the intellectual and the economic phases of personal and racial development. Importance of the economic. Need of industrial opportunity on the reservation. Inadequate church statistics. New statistics. Efficiency of missions. Work of Rev. Merrill on the Oneida Reserve. Miss Carter's lace industry. Mohonk Lodge. Christianized industry in Alaska. Proposition of Mrs. Etheridge for the Navajoes. Morgan's advocacy of a factory system. The success of Mr. Church. William Duncan and the Metlakatlans. Opportunity for industrial settlements. Opportunity of labor and capital.

It should not be inferred from what has been said that existing societies must disband, in order that new ones may spring up, for it is very probable that most of the existing agencies will continue under the old names. But they will change the emphasis of their work to meet the needs of the new conditions. The National Indian Association in its varied departments contains the germs of the plans—in fact has been carrying on the kind of work—which the situation demands. But new energy, and a different emphasis must be found in the future. The churches, too, must wake to their neglect. Above all, the missionary and the philanthropist must realize the inter-relation and the interdependence of the religious, the educational, and the industrial phases of life and instruction. The missionary tends to minimize the work of the teacher, and the artisan. Mission schools, as a rule, do not attain the maximum of efficiency. The educator is inclined to sneer at the manifestations of religion in the Indian, and to question the utility of much of the industrial training. And, with similar narrowness, the industrial teacher maximizes the ability of earning a living by manual labor. As a matter of fact no one phase can develop to its highest without a development of one or both of the other two.

From the earliest forms of culture we have had combinations of religious feeling, intellectual processes, and industrial activity. That they were at first exceedingly crude does not affect our judgment of them; we must postulate their early existence. But that, on the other hand, the three faculties corresponding to the three processes develop at equal rates seems utterly unlikely. So it is an important question in developing a theory and plan of racial transformations to know which faculty to stimulate first. Which one will furnish a basis for the development of the others? The answer seems plain that the economic activities not only condition the development of the intellect, but furnish the only positive framework of support for the moral life, and provide the basis for the development of both the intellectual and religious life. First the industrial, then the intellectual, and lastly the religious. It is impossible to think save in the terms of our surroundings, our activities, and our experiences. It is by no idle chance that the place of torment of the Jew describes the elysium of the Esquimau. Our ideas are the outcome of our doings and experiences. That is the reason that the white race will never put much faith in the red man's religion until the Indian shall enter into the activities and thoughts of the dominant race. Until that occurs, the religion will be a different one, though called by the same name. Not until religion and industry are fused into an inseparable unity is religion genuine or industry healthy.

The three phases, however, are not separate and successive developments in human nature. We may hold that, broadly speaking, the economic activities come first in time, and the spiritual last, and yet know that each phase reacts upon the other. After the first few steps, each faculty stimulates the other. Our industry owes much to religion. Our thought intensifies our industrial activity, and purifies our spiritual aspirations.

Upon this assumption, then, of an order of development, and an interdependence of human faculties, what policy must we pursue with reference to the Indian? It seems to me that we must lay strong and well the foundations, and broad and high the walls, of religion, in economic possibilities and intellectual training. Then upon those foundations and within those walls, the churches should be ready to perform instant

and constant work.

Who is to do this preliminary work? The government schools are training the intellect and the hand. But is that sufficient? No, for, fine as is that training, or fine as it can be, the government stops just short of the result. When the boy returns to his reservation, he has his training, but generally little else. He needs tools. He needs above all else encouragement, and finds naught but discouragement and ridicule. Nor do all Indians want to farm, as we expect them to do. Of course we train many to the various industrial pursuits, but we do not provide an opportunity for the exercise of those pursuits on the reservations. At the time of the last Presidential Inauguration, a number of distinguished Indian chiefs were persuaded to make a show of themselves in Washington in their former costumes. On their way east they stopped at Carlisle and made speeches to the children. American Horse said: "When this school first opened up I send my children all here. I have one at home who served his time, and went home. He could not get any work to do and all I could have him do was to carry water for me." Such a remark is pitiful in its suggestive import, for it is but typical of many, many cases. On one reservation there are said to be several excellent shoemakers among the Indians, but to get a shoe mended it must be taken or sent fifteen miles to a white man. A census gatherer at Pine Ridge told me that of three hundred boys, returned students, only two were practicing the trades taught them at the non-reservation schools.

The lesson is a plain one. Initiative and an opportunity must be provided for some or many of the returned students. The government does not do it. The church and other societies can do it and thereby secure a ready entrance for the best and most fruitful of missionary work. Every time the government cuts off rations, every time an Indian loses his free income, a case of human need presents itself. And human need is the soil on which grow the crops of missionary endeavor. From today, the next thirty years are the years of salvation for the Indian race. These will be the years of probation under the Dawes Act of 1887. The result will be determined within fifteen years.

The churches, however, have not been entirely idle. The

government reports for 1903 enumerate 386 missionaries and 31,362 Indian communicant members of churches. Miss McKean (1) of the National Indian Association in a recent pamphlet states that a review of the government reports indicates that:

"There is no religious activity whatever reported in forty-two out of the one hundred and sixty-five enumerated groups of Indians." "It thus appears that nearly thirty thousand of our native heathen are still without any religious instruction of any sort whatever." "In many places not included in the above list, the work is pitifully inadequate—one missionary, perhaps one church building, and a few hundred dollars spent for church work in an entire agency; sometimes a small communicant church membership reported, with no minister or missionary, no church buildings and no funds."

She goes on to show that whereas for all the tribes the number of births (4907) is one-eighth larger than the number of deaths (4352), the deaths (103) greatly exceed the births (59) among the unevangelized tribes. These figures are government statistics, and doubtless are not complete. (1) But they make evident the fact that the churches have not yet occupied the field which lies open before them.

Government statistics of missions, however, do not seem to be entirely correct. According to the report of the Indian Bureau, the one quoted by Miss McKean, the Catholic Church maintains thirty boarding schools and three day schools for Indians on the reservations, while Protestant denominations of all sorts support fourteen boarding schools and one day school. Of the latter the Presbyterians maintain four, and the Episcopalians and Congregationalists each three. About 80 per cent. of the scholars enrolled are in the Catholic schools (2). These figures are repeated year after year in the Commissioner's report, and yet they are practical falsehoods. Probably the figures are to be explained on the ground that only the former contract schools burden themselves with the labor of filing an annual report. Yet it would seem that any one of three or four reasons should be sufficient to remedy this dis-

(1) See pamphlet "Unevangelized Tribes." 1905.

Miss McKean recognized the possibility of error in these figures. But because they are the only ones extant, they are gradually being accepted as substantially correct, and are quoted as fact. See addresses of the President and Honorary President of the National Indian Association, Dec. 8, 1905, in the *Indian's Friend* for January, 1906.

In April, 1906, Mrs. Quinton publishes a list furnished by Commissioner Leupp cutting the number of tribes without missions down to twenty.

(2) Catholic interests use these figures to urge upon Congress the justice of aiding their schools.

graceful lack in our mission as well as our government statistics.

The problem can be approached from the other side by appealing to church literature, church statistics and church bureaus. But even here the investigator finds himself partially baffled. Few of the denominations have collected and summarized their Indian mission data. It is not improbable that others than the writer may find that the figures of the church annual report will not harmonize with private statistics of the mission secretary, and that neither will agree with what he may glean from field sources, nor with standard missionary books of the denomination. (3).

Nevertheless, enough may be learned to demonstrate the essential inaccuracy of the government reports. The Presbyterian Church, North, apparently alone among Protestants, issued in 1904 a tabular statement of Indian churches, Sabbath schools and mission schools, showing the support of fourteen schools, and the existence of sixty-five churches, thirty-five white ministers, twenty-five Indian ministers, and 4644 native communicants. As a result of much inconvenience and effort on the part of the several church boards (1), it is possible to say certain fairly definite things about a number of other important missionary churches. The Presbyterian Church, South, supports five white missionaries and four native and six mission schools. They have 675 pupils and 500 native communicants. The Episcopalians have seven mission schools in the United States proper, with 116 pupils (2). To these could be added the eight schools and 369 pupils in Alaska. The church has 18 white clergy and 29 Indian, plus 10 white and 1 Indian in Alaska. The number of communicants is 4645 plus 223 in Alaska. Their lay workers number 39 whites and 66 Indians.

The American Missionary Association of the Congregational church maintains forty-seven white and fifty-two native missionaries, and have 1496 communicant members. These figures include two white and one native missionaries and

(3) The writer has mail in his possession returned from the Dead Letter Office, although directed to mission schools and places named in church reports.

(1) The writer certainly appreciates the kindness of the officials who have worked hard to supply the facts here given.

(2) The number of pupils in three schools is not given, however.

100 converts in Alaska. The church supports four schools with an attendance of 213 pupils.

The Methodist Church, North, claims 1738 Indian members and probationers. The Church South maintains one school for full-bloods, with 90 pupils, besides several for both white and mixed bloods. They have two white and two native preachers working among the Indians.

The Baptists support twenty-three missionaries and report "about 4500" native communicants. They have four or five schools with an attendance of above seven hundred.

The Friends have ten mission stations in Oklahoma and Indian Territory, with twenty-two white missionaries, three native helpers, and about 500 members. They support three day schools, nine Bible schools, and two boarding schools. There are about 84 pupils in the latter.

These denominations thus maintain over fifty mission schools, where the government knows of but fifteen. Their membership totals about 18,000 natives. In addition the Mennonites have at least three mission stations, the Lutherans maintain themselves in several fields and the Dutch Reformed have at least one strong station in Oklahoma. May the churches cease to hide their light under a bushel!

The government figures, too, are not fair to Catholic missions. The Bureau of Catholic Indian Missions (1) report 152 priests, including one Indian, and 107 catechists, including 69 Indians; 71 boarding schools, and 26 day schools with 4942 pupils, besides 1108 Indian pupils in Catholic white schools. Their enumerated church membership numbers 56,774, but the Bureau states that the statistics are not complete and that the real number probably exceeds 100,000.

These figures may be compared with the government report of 31,362 communicants (1903-1904), which, however, is marked as only partially complete. The report for 1904-5 similarly indicates a membership of 37,526. These figures, it must be recognized, do not include the five civilized tribes, thus making it impossible to compare sectarian with governmental estimates.

If we should grant that the Protestant communicant

(1) Report of the Director of the Bureau of Catholic Indian Missions for 1903-04. Statistics of Catholic Indian Mission and School Work from the report of the Director, 1903-04.

membership might be multiplied by three to represent Protestant adherency, we could say that the Protestant bodies were represented by 54,000 Indians. Adding this to the enumerated 56,000 Catholics, we should find that 110,000 Indians, or one-third of the whole number, were under Christian influence and control. Taking the estimated number of Catholics, the sum would be increased to 150,000, or one-half of the Indian population of the country.

One of the most effective religious efforts among the Indians is that being done by the Young Men's Christian Association among the Sioux. Of the 285,000 Indians of the country, 25,000 are Sioux, 5000 of whom are young men, and 1442 of these are members of 36 or more Christian Associations. They also conduct a series of annual gatherings or conferences on perhaps six of the Sioux Reservations attended by an average of one hundred young men each. This work is in charge of a traveling secretary, Mr. Arthur T. Tibbetts, a full-blooded Sioux, and a graduate of the Santee Normal School, and also of the three years' course in the Association Training School in Springfield, Massachusetts.

The preservative power of this work cannot be estimated. The Christian Association would be glad to extend the work to other tribes, if the number of contributors of money could be increased.

Our chief interest, however, in Indian missions lies not in numbers, nor in the workers, but in the efficiency of the work that is actually being carried on. The heroic men and women in the field will not criticise a plain statement of the facts. Some have grown discouraged, or at least their expectations have been greatly lessened. Most will acknowledge that the results are small in numbers, and not altogether satisfactory in quality. Conditions are unfavorable for rich harvests. Government largesses and communal property obliterate the tangible lines between the good and the bad, and prevent the economic exegesis by which nature usually enforces the doctrines of the missionary. What we term an industrial life is a necessary prerequisite and accompaniment of Christianity (1). This industrialism must be carried to the

(1) J. B. Harrison, 133: "The theory of all the missionary work * * * is that nothing but Christianity can elevate the Indians: that there is no hope for them in either education or civilization, except as these are employed as instruments of the Gospel of Christ. * * * It has transformed and purified hundreds of lives, and is still a potent social, educational and practical force, working in conjunction with

Indian community. By whom? By the missionary, or, better, by some form of social settlement—insofar as the returned students can not take it themselves to their own people.

The work of the Rev. W. F. Merrill and the Episcopal Mission on the Oneida reserve in Wisconsin furnished a very good example of the industrial and social methods which can be utilized in the Indian field. His great piece of work was the erection of a creamery and the providing of cows. The Indians rent the cows, and the results have been good, almost surprising. The special value of work like this lies in the fact that it creates industries to compete on an even business basis with similar industries in the hands of white folks; they do not depend upon any fanciful or varying interest in the products of another race. The results are solid, substantial and permanent. The work involves regularity and constancy—it is not the occupation of an idle hour. A cheese factory, a pea cannery, and a sugar factory are other present or prospective inducements to genuine, profitable farming by these people. It is not surprising, therefore, that the agent can report: "There are four church buildings on the reservation, with an aggregate membership of about twelve hundred, and practically all members have been baptized. The churches are largely responsible for what progress has been made, and due credit should be given to the missionaries for their earnest, persevering efforts." Mr. Merrill said in 1902: "The gospel I preach is the gospel of cows. An old lady to whom I said this once, exclaimed: 'I have given my prayers and my tears for the conversion of the poor heathen Indians, and now you tell me they are to be converted by cows and dairies; that is all very strange. It completely upsets my ideas.'" The women on the Oneida reserve earned \$1200 in eight months during the year 1901, making lace.

Miss Sibyl Carter (1) has started the lace industry, so she reported in 1903, at ten different points in the United States, and has about 550 Indian women employed. At the Buffalo Exposition their lace took the first prize, and at the Paris Exposition the second prize, in competition with the

other influences, for the improvement of great numbers of Indians. * * * The limitation or defect of the work of the church is in the fact that her leaders and teachers do not usually adequately understand or value the other great world forces besides religion, the fateful power of the state to destroy what is ripe for its end, and to create new social and race conditions."

(1) Moh. 1898:73. In 1898 Mohonk friends gave Miss Carter \$1,000 to start glazed pottery work among the Indians.

world. These women earn \$5000 a year from the sale of their handiwork.

In 1898, Mrs. W. C. Roe, who works with her husband for the Reformed Church among the Indians of Oklahoma, told at Lake Mohonk of her wish for a social hall to aid in the gathering and the holding of the people in the better way. "It seems to me that such a house could stand between the government school and the camp life, and, little by little, the women could be shown what it is to have a home, a refuge, and a friend to meet them." The small sum needed for that important work was quickly contributed, and Mohonk Lodge has become famous as a social and religious center, largely because it is also an industrial center. The women there often receive four hundred dollars a month from the sale of their bead work. An additional building has been put up for the care of the sick.

Dr. Sheldon Jackson in 1903 told a marvelous story of the results of Christianity and Industry, or, better, of Christianized Industry.

"Commencing in southeastern Alaska great progress has been made in schools, missions and churches. Speaking religiously there has been a constant revival for the past four or five years in southeastern Alaska, and there are a large number—over a thousand native communicants—in the churches which have been established in that section. Some of the better class of American capitalists are now trying to exploit Alaska in that section. I remember one instance at Kasaan, on Cape Prince of Wales Island, where a syndicate of Connecticut Christians . . . opened up copper, lumber, and fish interests. The syndicate came with the proposition to the United States through their Alaska agent that they would erect a building that could be used for school purposes for the native population if the government would supply a suitable teacher. Further than that, they would lay out an improved American village—that is, the platted ground for a village—if the government would use its influence with the barbarous tribes, still heathen, that lived in their native filth some miles away, to induce them to move and build up an improved village, where the syndicate would give them constant work winter and summer. The thing was undertaken; a graduate of one of our western colleges was secured as a teacher; the company carried out their pledge; Mrs. Kinney started a free library for the miners and employees of the syndicate; the government teacher gave his evenings largely to missionary and religious work, and a native evangelist was brought to assist. And in that village of 150 or 200 last year, 90 of those natives who in 1877, when I first visited Alaska, even captured American schooners and held their crews for ransom—90 joined the church and commenced Christian living, erected small cottages on their lots,

and kept them in good condition. They are making great progress, and it is simply a sample of what can be done in every village throughout all that land if the churches will furnish missionaries to co-operate with the government teachers."

Mrs. Etheridge, Field Matron among the Navajoes, in 1897 made a far-sighted proposition that a mill be erected there with looms for the working up of the local supply of wool.

"The Navajo wool loses only about 30% in working up, and I think it would be a paying business to work up this wool into yarn, and have the old-time Navajo blankets woven, also bed blankets on looms, and to have a couple of knitting machines to knit cardigan jackets, hose, mittens, etc * * * I have such faith in the industry that if I had money I would not hesitate to put it all into such an industry."

Mr. Grinnell calls attention to the "interest taken in knitting by the women of a certain small band of Piutes, an interest so great that it has almost driven gambling from the camp." Gambling is the main occupation of many Indians. This example shows how it may be banished; it shows the expulsive power of the good over the bad, of the regular over the irregular, of the economic over the speculative elements in human life.

The important role which industrial operations might play in Indian affairs is, of course, not a new nor a novel idea. Lewis H. Morgan, than whom we probably have had no abler or more thorough student of Indian nature, customs and possibilities, as early as 1871 (1), in a series of articles discussed a Factory System for Indian reservations, and advocated the factory as a partial solution of the Indian problem.

"The factory system can best be illustrated by an actual experiment originated and conducted by Mr. Philetus S. Church among the Ojibway Indians of Lake Superior * * * He selected Sugar Island in the St. Mary River, where he first pre-empted and finally purchased 700 acres of land. In 1848 he constructed a residence, a warehouse, a store, and a dock, and commenced operations * * * At a later time he built a steam saw-mill." With the aid of Indians whom he attracted there, he manufactured raspberry jam, ornamental articles of birchbark, rugs, and floor-mattings of rushes, maple sugar, snow-shoes, ball-bats, bows and arrows, moccasins, and ornamental leather and bead work. "After years of persevering labor he was rewarded with success beyond his expectations. He established his own prosperity, as well as that of his Indian colony." "In 1863, the colony upon the Island numbered 800 Indians. From a few families in 1848, they had gradually increased to this number, most of whom lived in their own houses, and who were better housed, better clad, and better subsisted than they ever had been in their previous experience."

(1) The Nation, Vol. 23.

The sales for 1862 amounted to \$40,000. "Mr. Church spoke in the highest terms of the industry of the Indian women. He said they were universally industrious, 'the most industrious of womankind'—that the men had also done fairly well, and were not averse to labor, if properly treated and fairly paid." "The Indian women, by their industry, will solve the problem in every tribe, and raise the Indians gradually into a vastly improved condition, if to their industry a fair chance is given." (1)

These words are a ringing challenge to the philanthropists of the higher civilization.

A plan of this nature, which, without any power of compulsion, can live and succeed for upwards of twenty years, certainly is deserving of attention. Nevertheless it is with a distinct sense of disappointment that one reads this statement from the Secretary and Superintendent of the State Historical Society of Wisconsin, written on February 1, 1906: "I am sorry to say that after diligent search we fail to find any record of the industrial colony to which you refer." For the present nothing can be said as to the time or the causes of the disappearance of this significant enterprise. But interpreting the silence in the worst way, the ultimate failure does not weaken the demonstration afforded by a quarter century of success. It is probable, too, that the kinds of industry were not adapted to permanence; the raw materials and the demand for the products were both certain to lessen, if not to disappear.

All these various illustrations are given here to show the possibility and the need of industrial settlements, and to justify the claim that, in the end, life is a unity, which allows no long separation of its parts. The religion, the culture, and even the education of a people are not complete and cannot reach their full fruition, without the corresponding development of the economic life. In the following quotation from Miss Anna Beecher Scoville, I understand her to develop practically the same thought which I am trying to express:

"I am assured that neither church nor school can or should try to make the Indian a white man, but that their work is to *set him free to grow*;" (1) that we must redeem the best of his own life; that any help we would give him must be deeply planted and slow of growth, if we would not work for artificiality and hypocrisy; and that whenever we disregard this primal element of thought in the children we teach, our education, our civilization, and our Christianity will be only a surface shell, which, like thin ice, may look well, but is

(1) The italics are mine.

sure to break through to the deep water of pagan savagery.

"My second thought depends upon the first, and is, that to truly teach him we must go half way. How shall we establish this point of contact unless we are willing to live among them on the same plane by which college settlements are established in our cities?

* * * Is there no one who will go there and live, not for church, or school, or government, but for all three, and bring home these young people, and form not a college settlement, but a Christian settlement, that shall be a nucleus for a purer, higher life for old and young?"

The Report of the Board of Indian Commissioners for 1898 calls attention to "the romantic story of the life and work of Mr. William Duncan in British Columbia and Alaska."

"After raising the Tshimshean tribe of Indians from the lowest grade of barbarism to a high state of Christian civilization, Mr. Duncan, to escape the oppressive acts of the white people of British Columbia, determined to remove his Indians from that province and to seek protection under the flag of the United States. Annette Island, on the coast of Alaska, was selected for their future home. To this lonely, rocky and densely wooded island they came in the year 1887, abandoning their comfortable houses, their mills, their church, and all their improvements for conscience sake.

"In 1891 the island was, by act of Congress, 'set apart as a reservation for the use of the Metlakatla Indians, and those people known as Metlakatlans who have recently emigrated from British Columbia to Alaska, and to such other Alaskan natives as may join them.' There they have lived eleven years in peace. By hard work, equal to that of early pioneers in our Western States, they have cleared away the forest, built a village of about 200 frame houses, erected a salmon cannery capable of packing 20,000 cases of salmon per annum, and a saw-mill which can cut 10,000 feet of lumber per day. They have built a town hall which will seat 400 people, a schoolhouse large enough for 200 children, and a church capable of accommodating 800 people, the largest church in Alaska. They have constructed a pipe line, two miles in length, from a lake over 800 feet in elevation, which supplies good drinking water for the village and abundance of power for the cannery and the saw-mill. They have organized a local government, with rules strict enough to satisfy the most rigid of our Puritan fathers. In short, the Metlakatlans are a sober, industrious, self-supporting Christian community. They are no burden on the United States Government."

These are the Indians who fifty years ago were described as "notorious on the whole coast for their cruel bloodthirsty savagery—given up to dark superstition and atrocious habits of cannibalism." (1) Apparently a saw-mill and a cannery are efficient instruments for the building up and the preservation of religion. (2)

(1) See Henry S. Wellcome: The story of Metlakatla, published by Saxon & Co., London and New York, 1887.

(2) The strong advocacy by Commissioner Leupp in his report for 1907 of the carrying of industries on a large scale to the Indians will undoubtedly be very effective in accomplishing some of the results here suggested.

An Indian settlement would have its religious work, its social work, its medical work, and its educational work. But all these should center around its industrial work. The latter should ensure that diversification of industries which every progressive community must have. By this means the natural aptitudes of the individual Indians could be made effective; otherwise some will give up entirely and sink, drawing others with them. Moreover, there are bound to be many who will have insufficient lands for a complete competence, or who will lose their lands through fraud or folly. To these the settlement would offer a new chance for an honest and independent livelihood.

Incidentally it would be well to consider whether the Indian is adapted primarily to an agricultural life. The initiative, and the farsighted planning which farming on a profitable basis requires, are not his. Nevertheless, circumstances fix the lot of the average Indian on the farm, and we should encourage and urge him to stay there. But, at the same time, let us provide another chance for the man whose capabilities or follies divorce him from the land.

How shall the settlements be started? On many, if not most reservations, there are unused lands which the government has the power to set apart for the use of societies and churches carrying on educational and missionary work. Such lands become thereby commercially profitable, and provide, in part at least, for the support of those who are doing the missionary and educational work. (1). In other words, a settlement once started, would be in part self-supporting and self-perpetuating, in so far as the products of the land, and of the industries started thereon, exceed in value the cost of equipping and running. Even though the lands were purchased or leased, there ought to be a profit on the transaction.

Besides the land waiting use, there are waterfalls in the mountains, rarely seen, and absolutely unused, which supplicate the intelligence of the country, that they may be turned to

(1) It is apparent that Congress is prepared to aid such work by the granting of lands to missionary societies. The Inuian Appropriation Act of March 3, 1905, grants the use of 1280 acres of land on the Flathead Indian Reservation in Montana, to three Catholic societies. Forty acres are granted in fee simple, or outright ownership. The bill further provides: "The President is also authorized to reserve lands (within this reservation) upon the same condition and for similar purposes for any other missionary or religious societies that may make application within one year after the passage of this act in such quantity as he may deem proper."

the uplifting of a people. Such falls are too far from railroads and from centers of industry and population to attract the capitalists eager for the profits of a large business. But they can easily turn the wheels of a small industry, manned by the local tribesmen and women; they should almost surely return the cost of operation, and probably give a small profit on the capital invested. One of the most useful things the government could do, would be to turn over to missionary or settlement control natural resources, which otherwise are vain prodigalities on the part of nature. If the needs of future capitalists require, let the land and the resources be given for a limited number of years, say twenty-five, only. That period would be sufficient for the training of the Indians, and probably would build up an industry, or a set of industries, which the white man would be anxious to continue to exploit, with the aid of Indian labor.

Natural resources alone, however, will not establish and run a settlement. Two other things are needed: labor and capital. The first requisite will be forthcoming when the second is. The money must come in one of two ways: The large benevolence of wealthy philanthropists have here an opportunity which has not yet been used. The small gifts of many not wealthy will accomplish great things through the instrumentalities of various associations. A tendency of the times is for colleges and universities to establish settlements in the big cities, and mission stations in India and Japan. But there remain many colleges and universities without such ambitions, they could do much to solve the Indian problem. If the Student Volunteers who cannot go to the foreign mission fields could be sent even for one year each into this home field, we would have a supply of skilled farmers, engineers, and social workers, and those fields would be almost overcrowded. If the Pennsylvania State College would send such a farmer to the Cornplanter Reserve in Warren County to supplement the fine work now being done by the teacher there, a great transformation would be effected in a very short time. So, all over the country, opportunity waits for response.

There seems, unfortunately, to be a working hypothesis

widely spread (1) that the missionary is a man who has devoted himself to a life of sacrifice, and that it would not be either wise or consistent to provide him with the means and conditions of a comfortable existence or with the instruments of efficient service. In particular it is unwise to give the new man in the mission field too great a command of money and supplies; let him begin at the bottom and dig for himself, and then he will appreciate the doles that are coming to him, and will know how to use them to the glory of God, without squandering any upon himself or the heathen. But these are not the methods of success in the business world. The man who succeeds is the one who is able to use the most efficient machinery. The missionary who has to spend a great share of his time writing thousands of letters each year to gather the meager resources of his work has both his time and his energy stolen from his legitimate work. A man might go on a reservation with a salary of \$600 a year, and by sheer will-power and energy in the course of ten or fifteen or twenty years build up a fine industrial settlement. Could he, however, have had his thousand or ten thousand dollar plant to start with he might have accomplished double or triple or ten times the social work, and repaid the cost from the profits of that period. In other words, greater returns could have been secured without cost. We can not hold that a man has sacrificed much who receives back his money with interest. Nor should we in any effort sigh over a deficit, if the results are greater than the outlay. The conditions of highest efficiency are the conditions of costless expenditure. Let the missionary and the capitalist jointly go forth to work, not conscious of great sacrifices made, but exultant in the great opportunity before them to win great profits in the harvest fields of the world's progress.

(1) J. B. Harrison: "So far as I have been able to observe, none of the people engaged in such a work have adequate means or instruments for it, or adequate support in any way. In many cases their efforts are distressingly hampered and limited, the value of their work greatly reduced * * * chiefly by the lack of sufficient pecuniary means and support. * * * In some cases the theory that a man can do better work if he is half starved in every way seems to have been distinctly accepted and acted upon."

CHAPTER X.

THE INDIAN PROBLEM.

In the preceding chapters the word transformation has been used advisedly, and with a full understanding of the prejudice which it will arouse in the reader. Commissioner Leupp has authoritatively stated that "the Indian is a natural warrior, a natural logician, a natural artist. We have room for all three in our highly organized social system. Let us not make the mistake, in the process of absorbing them, of washing out of them whatever is distinctly Indian. Our aboriginal brother brings, as his contribution to the common store of character, a great deal which is admirable, and which needs only to be developed along the right line. Our proper work with him is **improvement**, not **transformation**." Not to juggle with words, what is the difference between the two? Is it not simply a matter of degree and of rapidity of change? The government is engaged in changing the Indian's system of land holding from tribal and communal to individual and private ownership, and fixes twenty-five years as the maximum period for the change, which in the end merges into individualistic control for a whole tribe in the twinkling of an eye. Is this improvement or transformation? The government is abolishing every vestige of tribal organization as fast as

possible; it fixes dates on which historic systems are suddenly to be annihilated. It takes a local tribesman and makes him a voting partner in our vast republic. Is this improvement or transformation? It takes a man under status and puts him under contract. It turns a socialist into an individualist. It takes the illiterate tribe and forces literacy upon it. It substitutes European civilization for ancient tradition. It takes a primitive people and says, "Cease to be primitive. Be modern or you die." It surrounds the natural warrior with better and more numerous warriors, and says, "Live in peace." Is not this transformation? It kills off his game, and turns the hunter into a farmer. It teaches the wielder of the war-club and the stone-ax the use of tools and machinery, and exhausts its efforts in transferring the man of the forest and plain to the marts of trade and the fields of modern industry. It scatters the workers over the continent regardless of ancient tribal and family ties. It puts a ban upon the canoe and the pony, and whisks the wondering native across the country behind the iron horse. It substitutes the almanac for the stars, the newspaper for tradition, coat for blanket (or clothes for paint), short hair for long hair, shoe for moccasin, house for wigwam, foreign rule for home rule, prayer-meeting for sun-dance, physician for medicine man, Christianity for heathenism. If this be mere improvement, how shall we define transformation?

History, experience and theory seem to prove that the primitive man can not live by the side of the modern man. If the Indian is to survive, he must become modern. Why not confess our object, instead of trying to hide it under a more euphemistic term? Candor begets consistency and constancy in any policy.

This is not said merely to be captious, but in a serious mood. For the one great fault in all our endeavors for the Indians has been the vacillations and inconsistencies, delays and backward movements, which have sprung from a lack of definition. In other words we have not been honest with ourselves or with the Indian in the statement of our purposes and objects. This has been due partly to a desire not to offend by bluntness of expression, partly to ignorance or indifference, and largely to radical differences of opinion, which have en-

deavored to attain ends under ambiguous phraseology in legislation. (1)

The history of our relations with the Pima Indians affords as good an example as any of the inconsistencies, vacillations and inefficiencies of the several branches of our government in dealing with the aborigines. An examination of the proceedings of the Mohonk Conference will from year to year show the accuracy of this statement. In 1904, Miss Cook summed up the facts very concisely in these words:

"As is well known the Pimas of recent years have been reduced from self-supporting farmers to hungry paupers through the appropriation of their old-time water supply by white settlements along the Gila River above the reservation. As far back as 1886 the Indian Office undertook through the Department of Justice to protect the prior water rights of the Pima Indians. Year after year the matter was taken up without any effect until by 1895 the diminishing Pima grain fields had become barren deserts. Last June the District Attorney finally decided that although a decree in favor of the Pima water rights would doubtless be rendered by the courts, yet the suit would cost from \$20,000 to \$30,000, and in the end the court would be unable to enforce its decree because of the varied interests involved. . . . The Indian Office, therefore, after eighteen years of fruitless effort, abandoned the hope of bettering the condition of the Pima Indians through judicial proceedings. All sorts of other methods have been proposed and investigated, and have thus far failed owing to impracticability or expense, notably the \$1,000,000 San Carlos dam and reservoir. Wells and pumps are now to be tried so far and so fast as funds will permit."

Mr. Brosius had made a vigorous presentation of the case in 1900, and maintained that "here we have a typical instance of the need of citizenship for the Indian. The Government, as guardian, has failed to enforce the rights of the Indians by enjoining subsequent appropriators of the water of the Gila; a proceeding that would have been available to any individual as a citizen, but being in a state of tutelage the Pimas have no status in court to enforce their rights. . . . The present agent over the Pimas owns land and water rights under the Florence canal, and this canal has absorbed most, if not all, the water hitherto available for the Pimas; so we here find the anomalous condition of an Indian agent in control of wards, whose interests are antagonistic to his own, with no immediate probability of recommendation from that source to secure water by injunction."

Twenty years is altogether too long a time to spend in securing simple justice. By the time water is obtained the Pimas are degraded, if not permanently ruined.

The situation in New York state furnishes another and

(1) Note the appropriation for buying lands for the Indians of California made in such general terms, to secure its passage, that the courts did not allow the money to be expended.

most important illustration of the fact and the harm of an inefficient policy and of delay. This is most evident, perhaps, in the case of the Seneca Indians. In 1886 the State Assembly appointed a special committee to investigate the Indian problem of the state. The report of that committee, known from its chairman as the Whipple Report, is a statement of the conditions then existing with a series of recommendations for the future. Of the Onondaga Indians and their reservation it is stated:

"In this productive region, with every advantage that nature could bestow, with no taxes to pay or other burdens to bear, these people have lived from hand to mouth for more than a hundred years. They seem to be wholly without ambition to work, and the present policy of the state does much to encourage them in doing nothing." "The state yearly makes large appropriations for the repair of their roads and bridges, for the care of indigent members of the nation, for the school-house, furniture, books, fuels, teachers, superintendent and agent; and yet we find them growing poorer every day." "Their present condition is infamously vile and detestable, and just so long as they are permitted to remain in this condition, just so long will there remain upon the fair name of the Empire State a stain of no small magnitude."

The few Oneidas "have no tribal relations, and are without chiefs or other officers; they, as a tribe, receive no money from any source, but receive a small annuity from the general government, amounting to about eleven yards of cotton cloth to each person per year." "These Indians not only manage and cultivate all of this land (which they own in severalty and fee) themselves, but in many instances have purchased quantities of land from the whites and paid for them. They have observed the habits and practices of the white farmers among them, and have so profited by their example that the committee in going over the territory was unable to distinguish, in point of cultivation, the Indian farms from those of the whites." (1)

"If the government by chiefs among the (Tuscarora) Indians could be destroyed, and they could hold their lands in severalty and be citizens, there is not a doubt but in a very few years they would be thoroughly respectable and enterprising people, and an honor to that part of the country where they live." "The Onondagas being the recognized head of the Six Nations, and having control of all the important matters of legislation, with power to install and depose chiefs at will, it makes but little difference how well civilized the Tuscaroras may become, so long as they have a tribal government, controlled by chiefs, which chiefs, in turn, are controlled and governed by the pagan chiefs of the Onondagas."

(1) Hon. Charles R. Skinner, Superintendent of Education, in his report for 1902: "The fate of the Oneidas should be a lesson. Not one of those of that tribe who took their lands in severalty a few years ago now owns an acre. Their fertile farms all belong to the white man, and the former owners are simply guests, welcome or unwelcome, of those Indians who retain their tribal ownership."

In 1870 the state erected a manual labor school for the Tonawandas, but it has never provided the money necessary to run it, so that the building "stands there today, a monument to the mismanagement or neglect on the part of the state or its representatives, as well as to the manifest indifference on the part of the Indians." These Indians cultivated only three-eighths of their land, and secured only half a crop. Not so degraded as the Onondagas, their ignorance is deep, and marriage ceremonies few.

The St. Regis Indians have escaped from some of the enervating influences of special privileges, and under the influence of the Jesuit priests maintain a relatively high standard of morals. But out of 305 children of school age, the average daily attendance in school was 62.

The Seneca Nation of Indians is a corporate body by act of Legislature.

"The improvement of the Senecas in morals and education has been slow; so slow, in fact, as to be almost imperceptible." "It may not be too often to again assert that the Indian himself is not so much to blame for this unfortunate condition as are the policy and the laws which have allowed it to exist and develop. The aid from state and nation, and from public charity is not enough to support the Indian in comfort and decency and health, but it is just enough to discourage and often destroy effort on his part to assist himself."

"Here are in the state 5,000 people, the descendants of a hardy and intellectual race, with scarcely an artisan or person following or learning a trade among them, excepting a very few unskillful carpenters or cobblers, with an abundance of fertile land, and at least a considerable number of them lacking food and shelter. No similar condition exists elsewhere in the country, and something is at fault. A careful and conscientious examination of the whole question must result in charging such fault to the laws, which respect and tolerate communistic ideas, Indian customs, and tribal relations among these people."

The Committee recommended (1) a compulsory school law; (2) a request by the Legislature to the national government to take action to extinguish the claims of the Ogden company; (3) the allotment of land in severalty; (4) the repeal of all existing laws relating to the Indians excepting those prohibiting the sale of liquors to them and intrusion upon their lands.

That practically none of the aims of the Whipple Committee have been attained, now twenty years after the report was made, is largely due to what is known as the Ogden Claim.

At the outset of our national history New York and Massachusetts had a dispute as to the lands in what is now western New York. The outcome was a compromise in 1786 by which New York secured sovereignty over the territory, while Massachusetts retained the pre-emption right to the soil—in other words, the right to purchase when the Indian occupant chose to sell. It is this pre-emption right which the Ogden Company now claims over the Seneca reservation by indirect purchase from Massachusetts. It amounts to \$200,000. The validity of the claim has never been determined. Until it is determined, title to the lands can never be clear enough to allow of their division in severalty ownership among the Indians. The continued slow progress, if not actual degradation, of these New York redmen is definitely laid to the door of this \$200,000 dispute. Finally the Vreeland Bill was introduced into Congress in the year 1902. It provided that \$200,000 should be retained of Seneca Funds until the final determination of the action then pending in the Supreme Court of the State of New York. Naturally the Indians oppose even the possibility of such a settlement adverse to their own interests. Apparently, however, the present generation need not worry over the situation. For the case was finally submitted to Mr. Justice Kenefich in May, 1904. After two years of silence a decision was handed down in October, 1906. The case will come up on appeal by the Senecas in the United States Circuit Court of Appeals in January, 1908. Sometime we shall know what the law on this particular point is. But such delays are incomprehensible to the lay mind, and to some legal minds. They are inexcusable from the standpoint of efficiency. They are ruinous to the subject race. It is to be hoped that the young Seneca who has by special action of the Legislature been made a citizen that he might practice law will devote his talents to the simplification and the hastening of judicial procedure in the Empire State.

If any state had a favorable opportunity to elevate the Indian, that state was New York. Her record is valuable as a source of information on how not to do it. Communal land, tribal government, and annuities will not solve the problem, even in the presence of a large white population and under the inspiration of devoted missionaries. I was told that one

of the latter, however, doubted the wisdom, even as a first step, of the allotment of lands without accompanying citizenship, because of his observation of the Seneca Indians of the Cornplanter Reserve in Pennsylvania.

The solution of the Indian problem, so far as the national government is concerned, lies in the abolition of the reservation, the complete and final allotment of lands, the genuine and early allotment of trust funds, the granting of full citizenship, the withdrawal of special privileges, the enforcement of the Indian's equal rights in the courts of the land, the cessation of the practice of giving rations, the control of the criminal white, whether saloonkeeper or land shark, the improvement of the school system, the raising of the standard of the teachers, the extension of the outing system, the providing of industrial opportunities, particularly on the reservations, the complete severance of financial relations with ~~certain~~ **sectarian** institutions.

The great bar to success in the past has been a false or a double philosophy. Bad theory cannot give good practice. There are two opposing theories concerning the Indian, with no middle ground of compromise between, upon both of which we have attempted to build. It is not strange that we have largely failed. If the Indian be essentially inferior to the white man, it is foolish, if not criminal, to force him into the stream of white civilization; schooling and civic rights are a curse, not a blessing. If, however, the distinction of civilization is chiefly one of experience and tradition, if the Indian is potentially on a substantial par with the white man, then the "vanishing policy" is the only policy, and any man or any policy which proceeds upon the other basic idea should be shoved to one side as rapidly as possible. The two ideas can no more be mixed than oil and water. This is the reason why honest men have seen exactly opposite facts in a single situation. The official and the philanthropist have often come to blows, and neither could realize the sincerity of the other. An Indian reservation might be run on either basis, but it could not be run on both.

The function of the church is not less definite than that of the state. It, too, must avoid a false philosophy. It must realize that ideas should precede words, that life must precede its expression, that religion is not only spiritual, but social. The church, through the settlement and the industrial mission,

must teach the Indian how to live in competition with the white man. Otherwise he will go to heaven sooner than he ought. The lesson is plain and the call is imperative.

Finally let it be said that seven words will sum up the conclusions here reached as to the needs of the future:

Candor is both communicative and receptive. It will spread broadcast the facts in the case. It will recognize and discriminate the parts which the state and the church have to perform. It will require things to be what they seem, and seem what they are. It will take the public into its confidence, and it will consider whatever the public may have to suggest. Candor is the character of democracy.

Consistency is the guarantor of results. Frequent erasures do not solve the problem on the slate. The political, the economic, the educational, the religious, and the social policies affecting the Indians must remain of the same type, or harm and not good, will be done.

Constancy will not allow our energies to flag. The strength of a chain is measured by its weakest link. The chain which is to bind the Indians to civilization may be measured at the point and moment where we grow weary in well-doing.

Efficiency is the man behind the gun. A school house and a school system are of little avail, unless there be a genuine teacher within. A missionary is of little power unless he have both the correct point of view and the proper instruments to aid him in his work. Life and not form are guarantors of progress, the substance of achievement. An Indian Department is measured by its personnel and chiefly by its head. At present we probably have the most efficient Commissioner in our history. It is important that every subordinate and every policy be equally efficient.

Dissatisfaction with present conditions and accomplishments, **faith** in the bright possibilities of intelligent policies, and **fidelity** to the task confided to each is the duty of the worker in the field or office, of the Congressman, of the churchman, and of society. The fate of the Indian in the United States, rests with the present generation of American citizens. Candor, consistency, constancy, efficiency, dissatisfaction, faith, and fidelity are the seven stars which shall lead the Indian to the door of hope.

